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MARINE CORPS

AQUISITION

PROCEDURES

SUPPLEMENT

2009 Edition
Change 1
(as of 31 March 2009)

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

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SUBPART 1.1—PURPOSE, AUTHORITY, ISSUANCE

1.101 (NMCARS) Purpose.

The Marine Corps Acquisition Procedures Supplement (MAPS) establishes uniform internal Marine Corps policies and procedures for those activities receiving contracting authority from Headquarters, Marine Corps (HQMC), Deputy Commandant, Installations and Logistics, (DC, I&L), and provides general guidance to Contracting Officers in the execution of their delegated authority.

1.108 (NMCARS) FAR conventions.

Delegation of authority. Within this supplement, any authorities assigned to the HCA are delegated to the Assistant Deputy Commandant, Installations & Logistics (Contracts) (ADC, I&L (Contracts)), unless otherwise restricted, and may not be re-delegated unless specifically authorized.

SUBPART 1.3—AGENCY ACQUISITION REGULATIONS

1.303 (NMCARS) Publication and codification.

(a) The MAPS implements or supplements the Federal Acquisition Regulation ([FAR](#)), the Defense Federal Acquisition Regulation Supplement ([DFARS](#)), and the Navy Marine Corps Acquisition Regulation Supplement ([NMCARS](#)). It is not a stand-alone document, but must be read together with the FAR, DFARS, and NMCARS.

(b) To the extent possible, the MAPS coverage parallels the FAR in format, arrangement, and numbering system. However, subdivisions below the section and subsection levels may not always correlate directly to the FAR-designated paragraphs and subparagraphs. A FAR, DFARS, or NMCARS cite in parentheses immediately after the MAPS cite means related coverage is contained in the FAR, DFARS, or NMCARS (e.g., 1.101 (NMCARS)). Numbered divisions in this supplement with a suffix in the “100” series (e.g., 1.105-2-100) contain subject matter related to but not contained in a FAR, DFARS, or NMCARS numbered division. Omission from the MAPS of a subpart, section, or subsection that appears in the FAR, DFARS, or NMCARS denotes that there is no additional coverage in the MAPS.

(c) The MAPS is available electronically via a tab included in the [United States Marine Corps \(USMC\) Contract Management Process Guide \(CMPG\)](#) Menu Bar or as a link in the CMPG Table of Contents, and as a link in the [HQMC, Installations & Logistics \(I&L\) \(Contracts\) website](#). Hard copies may only be obtained by downloading the MAPS since individual hard copy distribution will not be made. Any updates to the MAPS will be announced by issuing a policy memorandum from Headquarters, Marine Corps, Installations and Logistics (Contracts) (HQMC, I&L (Contracts)). Each update will include an effective date and a summary of changes.

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(d) The MAPS is maintained by the HQMC, I&L (Contracts), Policy and Systems Branch. Proposed changes to the MAPS, along with rationale for the changes, should be submitted through the Chief of the Contracting Office (CCO) and the Office of Counsel for the Commandant (CL) field Counsel to HQMC, I&L (Contracts), Policy and Systems Branch.

1.304 Agency control and compliance procedures.

1.304-100 (NMCARS) Control of HQMC baseline clauses.

Only ADC, I&L (Contracts) approved provisions and clauses, included herein under [MAPS Part 52](#) shall be used in solicitations and contracts. No other provisions or clauses, other than those prescribed by the FAR, DFARS, NMCARS, or MAPS, may be used without obtaining approval. For approval to use other than FAR, DFARS, NMCARS, or MAPS provisions and clauses, submit proposed language to HQMC, I&L(Contracts), Policy and Systems Branch.

SUBPART 1.6—CAREER DEVELOPMENT, CONTRACTING AUTHORITY, AND RESPONSIBILITIES

1.601 (NMCARS) General.

(a) HQMC contracting authority originates from the Assistant Secretary of the Navy (Research, Development and Acquisition) (ASN (RD&A)) and is delegated to the DC, I&L at HQMC. With the exception of those actions reserved specifically for Head of the Contracting Activity (HCA) approval, the DC, I&L has delegated full authority to the Assistant Deputy Commandant, Installation & Logistics (Contracts) (ADC, I&L (Contracts)). This authority is cannot be re-delegated unless specifically authorized.

(b) HQMC, I&L (Contracts) and CCOs will oversee and monitor the contractual procedures, performance, and staffing of field-level contracting offices under their cognizance. Procedures and controls necessary for effective oversight should be established and maintained.

(c) CCOs may designate the deputy CCO to act on their behalf and make any necessary determinations or take any actions that are reserved for the CCO, unless otherwise restricted by a provision contained in the MAPS.

1.601-90 (NMCARS) Department of the Navy (DON) authorities and responsibilities.

(a) Per [FAR 1.601\(a\)](#) and [DFARS 202.101](#), the Secretary of the Navy, as Agency Head, established Contracting Activities and delegated broad authority to manage the agency's contracting functions to the heads of such contracting activities. HQMC, DC, I&L is the HCA for the Installations and Logistics, Headquarters, U.S. Marine Corps Contracting Activity defined in [DFARS 202.101](#). DC, I&L has delegated general contracting authority to ADC, I&L (Contracts) with the authority to re-delegate such authority and appoint Contracting Officers within the Marine Corps Field Contracting System (MCFCS) and Marine Corps Logistics Command (MCLC). ADC, I&L (Contracts) delegates certain authorities as specified in the MAPS. MAPS [Appendix A](#) identifies Regional Contracting Offices (RCOs) and other contracting offices authorized to perform delegated contracting functions for the Marine Corps and identifies any limitations. Only the contracting offices listed in [Appendix A](#) who have personnel with Contracting Officer appointments made by ADC, I&L (Contracts) may execute these delegated

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contracting functions. This general contracting authority includes authority to enter into, execute, and approve contracts. Specific authorities delegated are as noted in the MAPS and may be exercised to the extent authorized by individual Contracting Officer appointments.

(b) When it is unclear which agency is responsible for a requirement, the matter should be resolved at the local level if at all possible. Local decisions should be focused on satisfying customer requirements in the most efficient and economical means possible while still maintaining strict adherence to the rules and regulations of the FAR, DFARS and NMCARS and other binding authority.

(c) MCFCS and MCLC structures and areas of responsibility (AORs) are identified in [Appendix A](#).

1.601-100 Procurement authority for relocatable buildings.

Authority to purchase or lease all relocatable buildings on Marine Corps Bases is delegated to Naval Facilities Engineering Command (NAVFAC).

1.602 Contracting Officers.

1.602-1 (NMCARS) Authority.

1.602-1-100 Legal review.

(a) The Office of Counsel for the Commandant (CL) and CL field Counsel are component offices of the Navy Office of General Counsel and provide legal support and assistance to Marine Corps contracting activities worldwide. All contracting personnel are strongly encouraged to consult with CL field Counsel on all questions of a legal or policy nature on any subject that is of a concern. It is emphasized that CL is an integral part of our business management team and consultation with CL field Counsel is strongly encouraged; however, the Contracting Officer is ultimately responsible for all contracting decisions.

(b) In addition to legal review or consultation requirements contained within other provisions of the FAR, DFARS, NMCARS, this supplement, or other binding authority, contracting personnel must obtain legal review, or consultation as appropriate, for the following:

(1) Solicitations estimated to be in excess of the simplified acquisition threshold (SAT) and all amendments (except those that are administrative in nature) to such solicitations;

(2) Proposed contracts in excess of the SAT;

(3) Performance work statements (PWS) for performance-based service acquisitions (PBSA) in excess of the SAT;

(4) Task orders (TOs), in excess of the SAT, placed against service contracts;

(5) Acquisition Plans (AP)/Acquisition Strategies (AS) for solicitations/contracts that involve the use of a “best value”/tradeoff analysis in the source selection process;

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- (6) Source selection plans (SSPs) and evaluation criteria that involve the use of a “best value”/tradeoff analysis;
- (7) Justifications for other than full and open competition pursuant to [FAR Part 6](#);
- (8) All determination and findings (D&Fs);
- (9) Proposed deviations from FAR, DFARS, NMCARS, or other applicable regulations or directives including waiver requests;
- (10) Basic ordering agreements (BOAs) and blanket purchase agreements (BPAs) and orders under BOAs/BPAs in excess of the SAT;
- (11) Matters relating to late bids/offers;
- (12) Matters relating to mistakes in bids/offers;
- (13) Proposed rejections of bids/offers;
- (14) Protests (prior to and after contract award);
- (15) Contract modifications affecting price or estimated cost, delivery schedules, specifications, performance obligations, Government-furnished property, inspection and acceptance, special provisions, and any other material change to the terms and conditions of the contract;
- (16) Questions relating to contract interpretation;
- (17) Termination actions;
- (18) Contract claims, disputes, and appeals;
- (19) Requests for extraordinary contractual relief under the provisions of Public Law 85-804 ([FAR Part 50](#));
- (20) Leases, bailments, grants, cooperative R&D agreements, “other transactions,” software licenses, and [Office of Management and Budget \(OMB\) Circular A-76](#) functional conversions (regardless of dollar value);
- (21) Congressional inquiries;
- (22) Freedom of Information Act (FOIA) responses involving denials (in whole or partial); releases when some or all of the information is disputed by a party; and any other questionable or controversial FOIA issues;
- (23) Questionable or controversial determinations of nonpersonal services ([FAR Part 37](#));

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(24) Ratifications of unauthorized commitment requests;

(25) Matters relating to organizational and consultant conflicts of interest ([FAR Subpart 9.5](#)); and

(26) Matters relating to patents, rights in data, and copyrights ([FAR Part 27](#)).

(c) Where a requirement exists for legal review, such reviews must be accomplished by appropriate CL field Counsel. In the event that CL field Counsel is not available, contracting personnel may contact CL for assistance.

(d) Contracting personnel should consider submitting to CL field Counsel for review/comment any action when, at the discretion of contracting personnel, legal review is necessary.

(e) All matters submitted to CL field Counsel for the purpose of obtaining concurrence, advice, or assistance should, to the maximum extent practicable, include the following to enhance the processing of the matter:

(1) A route sheet indicating that supervisory contracting personnel responsible for the matter have reviewed the material and concur with the proposed course of action;

(2) A brief description of the matter to be reviewed with a specific discussion of each key element in the request. If the document being reviewed is a solicitation, amendment, contract, or modification, identify any provisions that are not found in FAR, DFARS, and NMCARS, e.g., nonstandard clauses, terms or conditions, as well as the applicable ADC, I&L (Contracts) approval of such provisions;

(3) A proposed document (e.g., solicitation, amendment, contract, modification, justification, D&F, or letter) which, if determined to be acceptable, would constitute completion of the matter; and

(4) Other supporting documentation, indexed for easy reference, necessary to understand the proposed action without having to look elsewhere for pertinent factual information. When proposed solicitation amendments and contract modifications are submitted for review, the solicitation/contract and prior amendments/modifications should be provided to CL field Counsel.

(f) Use of e-mail is an authorized means of communicating with CL and CL field Counsel.

(g) Upon completion of review by CL field Counsel, ensure comments/concurrence is made a part of the permanent contract file.

1.602-1-101 Functional independence and organizational placement of Contracting Officers.

(a) To retain a degree of independence that allows unbiased advice based on the principles of sound business, the Office of the Secretary of Defense (OSD) established a formal policy that

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Contracting Officers' evaluations will be performed within their own career program channels. The only exception will be the performance evaluation of the senior official in charge of contracting for the organization, such as the head of the contracting office or CCO (Reference: [Under Secretary of Defense \(USD\) \(Acquisition\) Memorandum, Subj: Functional Independence of Contracting Officers, dated 23 November 2004](#)). The essence of this policy was incorporated in DoDI 5000.66, Subj: Operation of the Defense Acquisition, Technology, and Logistics Workforce Education, Training, and Career Development Program.

(b) In addition to complying with management control principles of separating requirement setting, buying and receiving to ensure proper checks and balances, the CCO, whether military or civilian, will normally report to, and be evaluated by, the Commander/Commanding Officer. As a practical matter, the Chief of Staff (COS) may also be able to provide the desired level of independence, which is an acceptable reporting alternative for the CCO.

(c) Marine Corps Commanding Generals/Commanding Officers (CGs/COs) are asked to implement these policies.

1.602-2 (DFARS) Authorized representatives of the Contracting Officer.

The following individuals may be designated to assist Contracting Officers in the technical monitoring or administration of a contract:

(a) Contracting Officer's Representative (COR).

(1) **Designation.** The Contracting Officer may designate a COR when the contract requires monitoring and surveillance efforts beyond what the Contracting Officer is reasonably able to provide. The COR provides technical direction/clarification and guidance with respect to the contract specifications or statements of work.

(2) Appointment.

(a) The Contracting Officer must formally designate individuals as CORs by appointment letter. Appointments will define the scope and limitations of the COR's authority. Duties outlined in the appointment letter shall be tailored to specifically reflect the requirements of the contract.

(b) A copy of the COR appointment letter shall be provided to the contractor as required by DFARS 252.201-7000.

(c) Unless the appointment contains other provisions for automatic termination, the appointment must be effective, unless sooner revoked, until the COR is reassigned or the individual's employment is terminated. Revocation of a COR appointment may be effected at any time by the appointment authority, or higher authority, or any successor to either. Revocation must be made in writing.

(3) **Qualifications/training.** The COR's contract administration duties can be simple or complex and time-consuming, depending on the type of contract, contractor performance,

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and the nature of the work. COR designees must have the requisite technical experience to perform the necessary COR functions. Prior to appointment of a COR, the Contracting Officer should take into consideration the ability, training, and experience of COR designees and must confirm that designees are appropriately qualified to act as authorized representatives of the Contracting Officer. At a minimum, COR designees should have completed a basic COR course and ethics training.

(4) **Authority.** CORs are responsible to the Contracting Officer for those actions delegated by the Contracting Officer as specifically addressed in the letter of appointment. In the performance of COR duties, the COR does not have the authority to take any action, either directly or indirectly, that could change the price/cost or fee, quantity, quality, scope, delivery schedule, labor mix, or other terms and conditions of the contract and/or task order. Only the Contracting Officer has the authority to make such changes. Any authority delegated to a COR is not redelegable.

(5) **Evaluation and documentation.** Supplementing the normal monitoring of the COR by the Contracting Officer, the Contracting Officer must maintain an activity file on each COR as a part of the contract file. The purpose of this file is to record and maintain the results of reviews conducted annually by the Contracting Officer of the COR's contract-related activities. The Contracting Officer must annually evaluate and document the performance of the COR and provide a copy of this evaluation to the COR's organizational head. If the contract performance period is less than one year, this evaluation must be conducted prior to contract closeout.

(b) Ordering Officer.

(1) **Designation.** The Contracting Officer may designate individuals, either from within or outside of the contracting organization, as ordering officers, with the authority to execute task/delivery orders thereby obligating funds under an IDTC. An ordering officer may be appointed for valid purposes provided the Contracting Officer determines appointment is essential for the efficient operation of the contracting mission. Strict operational control over ordering officers is necessary to preclude violations of law and regulations. Care must be exercised in determining how many ordering officers are necessary yet controllable.

(2) **Appointment.** Contracting Officers must formally appoint individuals as ordering officers by appointment letter. The appointment letter must specify the extent and limitations of the ordering officer's authority to act on behalf of the Contracting Officer. Unless the appointment contains other provisions for automatic termination, the appointment must be effective, unless sooner revoked, until the ordering officer is reassigned or the individual's employment is terminated. Revocation of an ordering officer appointment may be effected at any time by the appointment authority, or higher authority, or any successor to either. Revocation must be made in writing.

(3) **Qualifications/training.** Because IDTCs vary in dollar value and complexity, the qualifications, skills, and training needed by ordering officers may also vary. The appointment and training of ordering officers requires consideration of the type of ordering to be performed.

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(4) **Authority/responsibilities.** The authority of an ordering officer is limited to placement of task/delivery orders for contract line items that are pre-priced and fixed-priced under an IDTC. Authority to modify any task/delivery order awarded must be specifically delegated in the ordering officer appointment letter. Oral orders may be used only when specifically authorized by contract clause. Such orders must be confirmed by issuance of a written task/delivery order in accordance with the contract terms and conditions. The contract must identify the individual(s) who have the authority to issue oral orders. Any authority delegated to an ordering officer is not redelegable.

(5) **Evaluation and documentation.** Supplementing the normal monitoring of the ordering officer, the Contracting Officer must maintain an activity file on each ordering officer as part of the contract file. The purpose of this file is to record and maintain the results of reviews by the Contracting Officer of the ordering officer's contract-related activities.

1.602-3 Ratification of unauthorized commitments.

(a) For the MCFCS, authority to ratify unauthorized commitments is delegated as follows:

<u>Ratification Threshold</u>	<u>Ratification Official</u>
Greater than \$100,000	HQMC, DC, I&L
Greater than \$25,000 up to and including \$100,000	HQMC, ADC, I&L (Contracts)
Less than or equal to \$25,000	CCOs

These ratification authorities cannot be delegated further. The ADC, I&L (Contracts) may modify these thresholds on a case-by-case basis.

(b) For ratification endorsement purposes, the Commanding Officer is the first General Officer in the chain of command above the individual who made the unauthorized commitment. The Commanding Officer is responsible for ensuring that military and civilian personnel assigned to the activity are aware of, and comply with, applicable laws, regulations, and procedures. Direct involvement in the ratification process will provide the Commanding Officer the opportunity to identify the need for additional training or for establishment of specific activity procedures to preclude possible recurrence of unauthorized commitments. The Commanding Officer is the only official authorized to provide the endorsement required in the ratification procedures. Endorsements may not be "By direction."

(c) Ratification documentation required by the individual making the unauthorized commitment:

(1) Using the appropriate chain of command, the military or civilian employee making the unauthorized commitment must forward documentation concerning the transaction to the Commanding Officer (which is the first General Officer in the chain of command above the individual who made the unauthorized commitment). The documentation must include, as a minimum:

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(i) A statement signed by the military or civilian employee which includes the elements outlined in [NMCARS 5201.602-3](#)(S-90)(a)(1).

(ii) All orders, invoices, or other documentary evidence of the transaction as required by [NMCARS 5201.602-3](#)(S-90)(a)(2).

(2) If the Commanding Officer concurs that the commitment should be ratified, then the Commanding Officer must forward the documentation described above to the Contracting Officer with an endorsement that is prepared in accordance with the Commanding Officer Endorsement Template located in CMPG 5.11.

(d) The Contracting Officer shall fulfill the responsibilities outlined in the CMPG Contracting Officer's Checklist for Ratification of Unauthorized Commitments located in CMPG 5.11.

(e) The ratifying official (ADC, I&L (Contracts), or CCO must:

(1) Review the file;

(2) Make the appropriate findings and determinations;

(3) Ratify the unauthorized commitment or deny the ratification request; and

(4) If the unauthorized commitment is ratified, execute, or authorize the execution of, the appropriate contractual document.

(f) Records. A report consisting of all pending and approved ratifications shall be submitted to HQMC, I&L (Contracts), Policy & Systems Branch, in accordance with the due dates identified in [Appendix B](#). The format of the report shall be as outlined in [Appendix C](#). Negative replies are required.

1.603 Selection, appointment, and termination of appointment.

1.603-1 (NMCARS) General.

The ADC, I&L (Contracts) is delegated authority for the selection, appointment, and termination of appointment of Contracting Officers serving in acquisition positions within the Marine Corps. However, Directors of RCOs and the Director of Contracts, MCLC, are ultimately responsible for the proper use of warrants and shall take actions deemed necessary to ensure the integrity of the warrant program.

1.603-2 (DFARS) Selection.

(a) Prior to appointing any individual as a Contracting Officer, the appointing official must ensure that the individual has the requisite knowledge and experience, as well as a track record of qualitative performance, appropriate to the dollar value and complexity of the prospective contracting responsibilities. Defense Acquisition Workforce Improvement Act (DAWIA) certification is not an entitlement to be warranted.

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(b) The HQMC Contracting Officer Warrant Program consists of the following six warrant levels:

(1) **SAP A** – [FAR Part 13](#) Simplified Acquisitions up to \$25,000 and Firm-Fixed Price Delivery and Task Orders under [FAR Part 8](#) up to \$25,000.

(2) **SAP B** – [FAR Part 13](#) Simplified Acquisitions up to \$100,000 and Firm-Fixed Price Delivery and Task Orders under [FAR Part 8](#) and [FAR Part 16](#) up to \$100,000.

(3) **SAP C** – [FAR Part 13](#) Simplified Acquisitions to include [FAR Part 13.5](#) Test Program for Certain Commercial Items; Delivery and Task Orders under [FAR Part 8](#) and [FAR Part 16](#) up to the Maximum Order Limitation of each Contract.

(4) **Level I** – Award of contracts, delivery/task orders and modifications with values up to \$500,000.

(5) **Level II** – Award of contracts, delivery/task orders and modifications with values up to \$10,000,000.

(6) **Level III** – Award of contracts, delivery/task orders and modifications with no dollar limitation.

(c) The Government-wide Commercial Purchase Card (GCPC) may be used as a purchase instrument in lieu of a written purchase or delivery order outside the United States up to \$25,000. This use does not constitute raising of the micro- purchase threshold; Simplified Acquisition Procedures (SAP) in accordance with [FAR Part 13](#) and [DFARS Part 213](#) apply when using the GCPC overseas for purchases between the micro-purchase threshold and \$25,000. (Refer to [CMPG, GCPC Module 6.1](#) for additional guidance.)

(d) Education, experience, and training requirements for each of the above warrant levels are delineated in [CMPG, Contracting Officer Warrant Process Module](#) and are applicable to all individuals serving in contracting/ acquisition positions under the authority of ADC, I&L (Contracts) and the RCO CCOs and CKOs, and must be met in order to qualify to serve in a contracting/acquisition position as a Contracting Officer with authority to award and/or administer acquisitions/contracts at the appropriate dollar threshold.

1.603-3 Appointment.

(a) Appointments will be documented and copies filed as prescribed in [FAR 1.603-3](#).

(b) Contracting Officer authority granted to individuals assigned to MCFCS offices is valid only when those individuals are assigned to those offices or organizations. Authority of individuals assigned to contingency contracting offices is limited to the deployment phase of a contingency operation or exercise only. Supplies and services needed during the pre-deployment phase shall be obtained from the local RCO. Partnering between the RCO and contingency contracting office is strongly encouraged for personnel to maintain contracting competencies while in garrison.

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(c) Requests for contracting officer warrant authority shall be made in accordance with [CMPG, Contracting Officer Warrant Process Module](#).

1.603-4 Termination.

Appointments of Contracting Officers remain in effect as long as appointees are assigned to the office or organization stated on the warrant, unless terminated sooner by ADC, I&L (Contracts). Once the Contracting Officer detaches from the office or organization stated on the warrant appointment, the warrant is terminated and cannot be used at any other office or organization.

1.690 (NMCARS) Requirements to be met before entering into contracts.

(a) Business clearance review/approval levels shall include the value of the base period and all options under a contract. For multiple award contracts, the approval authorities are based upon the total solicitation/contract price inclusive of the base year and all options for all proposed contracts.

(b) All MCFCS offices, except MCLC Albany and RCO Quantico, are authorized to approve business clearances for actions up to \$1,000,000. The CCO shall establish business clearance review/approval levels which require approval at a level higher than the person responsible for negotiating the action.

(c) For MCLC Albany and RCO Quantico, business clearance approval for actions up to \$10,000,000 is authorized. The CCO must approve all business clearances valued at \$1,000,000 or greater. For actions up to \$1,000,000, the CCO shall establish business clearance review/approval levels which require approval at a level higher than the person responsible for negotiating the action.

(d) Business clearances valued at \$10,000,000 or greater for MCLC Albany and RCO Quantico, and business clearances valued at \$1,000,000 or greater for all other MCFCS offices must be approved by the ADC, I&L (Contracts), or designee. The CCO must sign the business clearances as the “reviewer.”

1.691 (NMCARS) Procurement management oversight.

1.691-1 Responsibilities.

1.691-1-100 Procurement Performance Management Assessment Program (PPMAP).

- (a) The procurement management oversight process employed for the MCFCS PPMAP will:
- (1) Focus on improvement in all phases of the procurement process.
 - (2) Identify problems early in the acquisition cycle.
 - (3) Provide a feedback system to contracting organizations assuring timely information to all organizational levels. Feedback should address strengths, weaknesses, and significant

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findings. HQMC, I&L (Contracts) PPMAP Program Managers will determine the adequacy of initiatives taken to resolve quality issues identified through the feedback system.

(4) Increase/decrease the level of oversight required based upon a contracting organization's proficiency, quality, and business considerations.

(5) Encourage sharing of best practices/processes and "lessons learned."

(b) Generally, all MCFCS PPMAP on-site visits will be scheduled and conducted every three years. Three-year cycle schedules of on-site visits will be established/maintained by the HQMC,

I&L (Contracts) PPMAP Team Program Managers. Each fiscal year schedule will be issued by HQMC, I&L (Contracts) during the fourth quarter of the prior fiscal year.

(c) Per [NMCARS 5201.691-1](#), HQMC, I&L (Contracts) is required to submit to the Deputy Assistant Secretary of the Navy for Acquisition and Logistics Management (DASN (A&LM)), by 30 December of each year, an annual summary of relevant findings (best practices,

deficiencies, recommendations, etc.) from the results of the previous fiscal year's PPMAP reviews.

1.691-2-101 Contract Management Process Guide (CMPG).

(a) The [CMPG](#) is a process guide that promotes consistency and standardization across the field, reduces variation, and opens communication channels across the MCFCS to share best practices and lessons learned. The purpose is to assure that MCFCS has an effective management control system to assure quality, accountability, consistency, and integrity of the procurement process.

(b) Suggested changes to the CMPG are to be provided, in writing, to ADC, I&L (Contracts) at CMPGFeedback@usmc.mil or click on CONTACT US, located in the upper right hand corner of the CMPG.

SUBPART 1.7—DETERMINATIONS AND FINDINGS

1.707 Signatory authority.

All D&Fs forwarded to the ADC, I&L (Contracts) for signature shall contain an endorsement by the CCO.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 2—Definition of Words and Terms

SUBPART 2.1—DEFINITIONS

2.101 Definitions.

Chief of the Contracting Office (CCO) - For the purposes of the MAPS, the CCO is the official at a RCO or Headquarters, Marine Corps Logistics Command (MCLC) who has overall responsibility for managing the entire contracting office and includes the principal deputy to such official. In the Joint Contingency Contracting Handbook, the acronym for the Chief of the Contracting Office is COCO.

Commander - Commanding Generals and Commanding Officers of Regular Establishments, Marine Air Reserve Training Detachments (MARTDs)/subunits, inspector-instructors, officers in charge of subunits, and officers in charge of recruiting stations. Unless otherwise specifically provided in this supplement, authority granted to the Commander may be further delegated.

Contingency Contracting Officer (CKO) - The individual responsible for the acquisition of essential supplies and services needed to sustain the mission of a contingency military force. Duties include emergency contracting to support actions necessary for the mobilization and deployment of units. In addition to rescue and humanitarian relief missions, military contingencies can include demonstrations of force, raids, and larger operations undertaken to protect U.S. interests, lives, and property. In the Joint Contingency Contracting Handbook, the acronym for the Contingency Contracting Officer is CCO.

Office of Counsel for the Commandant (CL) and CL field Counsel - An attorney from the Office of Counsel for the Commandant and its field offices that provide legal support and assistance to Marine Corps contracting activities. The Office of Counsel for the Commandant and its field offices are component offices of the Navy Office of General Counsel and are separate from the Director, Judge Advocate Division, HQMC and those Staff Judge Advocate offices assigned to Marine Corps operational units and installations.

Head of the Contracting Activity (HCA) - For all contracting offices in the MCFCS and MCLC, the Deputy Commandant, Installations and Logistics (DC, I&L) and by delegation, the ADC, I&L (Contracts).

2.101-100 Acronyms.

A list of acronyms used in the MAPS is included in [Appendix D](#).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 3—Improper Business Practices and Personal Conflicts of Interests

SUBPART 3.1—SAFEGUARDS

3.101 Standards of conduct.

3.101-3 (FAR) Agency regulations.

(a) All personnel must comply with the provisions contained in the latest edition of the [Joint Ethics Regulation \(JER\), Department of Defense \(DoD\) 5500.7-R](#).

(b) Except for individuals required to file Public Financial Disclosure Reports, individuals involved in procurement or contracting must file Confidential Financial Disclosure Reports with their local designated ethics official. See the JER for details on filing requirements and procedures.

3.104 Procurement integrity.

3.104-3 (FAR) Definitions.

“Participating personally and substantially.” In the case of an [OMB Circular A-76](#) procurement, CL field Counsel must be consulted prior to implementing a course of action that may result in Government employees, from the in-house Government organization, participating personally and substantially in the procurement.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 4— Administrative Matters

SUBPART 4.8—GOVERNMENT CONTRACT FILES

4.802-100 Contract files.

Within the MCFCS, paper copies of contract files shall be maintained by Contracting Offices unless a back-up and retrievable electronic records management system, compliant with [Marine Corps Order \(MCO\) 5210.11E](#), [NAVMC 5210.11E](#), and [Department of Defense Directive \(DODD\) 5015.2](#), has been approved. Approval of any electronic filing systems shall be coordinated with HQMC, I&L (Contracts), prior to implementing.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 5— Publicizing Contract Actions

SUBPART 5.4—RELEASE OF INFORMATION

5.404 (NMCARS) Release of long-range acquisition estimates.

CCOs are authorized to release long-range acquisition estimates. This authority cannot be further delegated.

SUBPART 5.5—PAID ADVERTISEMENTS

5.502 (DFARS) Authority.

Newspapers. Approval authority for publication of paid military recruiting and/or civilian advertisements in newspapers is as stated in [MCO P1100.71A, Military Personnel Procurement Manual](#) and [Naval Supply Systems Command Instruction \(NAVSUPINST\) 4200.85D, DON SAP](#). Authority to approve the publication of paid advertising in newspapers for all other purposes is delegated, without power of redelegation, to CCOs.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 6—Competition Requirements

SUBPART 6.2—FULL AND OPEN COMPETITION AFTER EXCLUSION OF SOURCES

6.202 (NMCARS) Establishing or maintaining alternative sources.

For a proposed contract not exceeding \$78,500,000, the approval level for the D&F is the ADC, I&L (Contracts).

SUBPART 6.3—OTHER THAN FULL AND OPEN COMPETITION

6.302-2 (FAR) Unusual and compelling urgency.

Any justification using the urgency authority, that is not approved prior to contract award because obtaining such approval would unreasonably delay the acquisition, shall be submitted to the approval authority within 30 calendar days after contract award for approval.

6.303-1 (NMCARS) Requirements.

Technical and requirements personnel must obtain review and approval at the O-6/GS-15 or Officer In Charge (OIC) level of the cognizant technical/requirements office before submitting a recommendation for other than full and open competition to the Contracting Officer.

6.303-2 (FAR/DFARS/NMCARS) Content.

(a) Justifications shall be prepared in the format specified in [CMPG, Section 1.8.1](#) and shall contain sufficient facts and rationale to support the statutory authority cited. Each justification shall contain the information required by [FAR 6.303-2](#) and [NMCARS 5206.303-2](#).

(b) Whenever a justification requires approval by the Competition Advocate of the Marine Corps (ADC, I&L (Contracts)) or higher level and the authority of 10 U.S.C. 2304(c)(2) is cited, a memorandum certifying the urgency shall be executed by a General Officer or a SES civilian responsible for the requirement at the requiring activity. If neither of these levels exists at the requiring activity, the Commanding Officer or the command's senior civilian official shall execute the urgency memorandum. The memorandum shall describe the nature of the unusual and compelling urgency, why full and open competition is precluded, and the serious injury, financial or other, that would result from a delay in the award. This memorandum shall be attached to the justification and referenced in paragraph 5, Rationale Justifying Use of Cited Statutory Authority, of the justification.

6.303-90 (NMCARS) Legal review.

Each justification governed by [FAR Part 6](#) shall be reviewed by CL field Counsel for legal sufficiency prior to its submission for approval. In the event that CL field Counsel is not available, contracting personnel should contact CL for assistance.

6.304 Approval of the justification.

Justifications shall be approved as outlined below prior to the issuance of the solicitation unless [FAR 6.302-2](#) applies. When [FAR 6.302-2](#) applies, the justification shall be submitted to the approval authority as outlined in [MAPS 6.302-2](#) above.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 6—Competition Requirements

(a) For a proposed contract action greater than \$100,000 but not exceeding \$550,000, the Contracting Officer shall certify the justification is accurate and complete. In accordance with [FAR 6.304\(a\)\(1\)](#), the Contracting Officer's certification serves as approval of the justification.

(b) For a proposed contract action greater than \$550,000 but not exceeding \$11,500,000, the justification shall be approved by the Command Competition Advocate.

(c) All justifications greater than \$11,500,000 but not exceeding \$78,500,000 shall be submitted through the CCO to the ADC, I&L (Contracts) for approval.

(d) All justifications greater than \$78,500,000 shall be submitted through the CCO, Command Competition Advocate, and the ADC, I&L (Contracts) for approval by ASN (RD&A).

6.304-100 Compliance with approved justification.

Procurement actions that are being performed on the basis of a justification for other than full and open competition must be executed in compliance with the approved justification. If a requirement changes such that an approved justification no longer accurately reflects the method of executing the acquisition, the Contracting Officer shall submit a formal notice of the proposed change to the approval authority for concurrence prior to making the change.

SUBPART 6.5—COMPETITION ADVOCATES

6.501 (NMCARS) Requirement.

(a) The ADC, I&L (Contracts) has been designated the Competition Advocate of the Marine Corps.

(b) As required by NMCARS 5206.501, the HCA (HQMC, DC, I&L) shall appoint a Competition Advocate for each RCO and for MCLC. Competition Advocate authority may be delegated to a level no lower than the CCO. Each Competition Advocate appointment shall be in writing and shall be designated to an individual as Competition Advocate who:

- (1) Has extensive knowledge of the types of acquisitions within the command;
- (2) Is at a position level commensurate in grade or rank with the senior level program, product, or requirements personnel with whom the advocate interacts;
- (3) Has direct access to the Commander on matters relating to competition and the acquisition of commercial items and services; and
- (4) Is not assigned any duties or responsibilities that are inconsistent with Competition Advocate duties and responsibilities identified in [FAR 6.502](#) and [NMCARS 5206.502](#).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 7—Acquisition Planning

SUBPART 7.1—ACQUISITION PLANS (APs)

7.102 Policy.

(a) Contracting Officers shall ensure that adequate acquisition planning is performed consistent with the character and risks associated with the procurement of each requirement prior to issuing solicitations. Local procedures shall be established to institutionalize the process. As a minimum, the process should address the following:

- (1) The adequacy of the requirement description and specification.
- (2) The market availability of the requirement.
- (3) The practicality of the schedule or delivery requirements.
- (4) Technical and/or performance risks associated with the requirement.
- (5) Adequacy of funding and consideration of the limitations placed on the use of funds.
- (6) Strategy to mitigate the risks and constraints identified. This strategy should address the rationale used to select the procurement method (sealed bid, negotiated, reverse auction, [FAR 13.5](#) test program, etc.), the contract type (fixed price, cost, cost plus award fee, etc.), the specification type (performance, detailed, proprietary, etc.), the selection criteria (best value, experience, technical proposal, etc.), the quality assurance (QA) provisions (special inspections, reports, etc.), or any other aspect of the requirement thought to be a potential problem.
- (7) Fulfillment of socioeconomic goals (See [FAR Part 19](#) and [FAR Part 26](#)).

(b) Acquisition planning is a team effort and should involve technical, contractual, small business, legal, comptroller, program management, and customer personnel, all focused on developing the most effective plan for delivery of quality products in the most economical and timely manner possible.

7.103 (NMCARS) Agency-head responsibilities.

Written APs delineated in [DFARS 207.103](#) shall be submitted to the ADC, I&L (Contracts) for approval.

7.105 Contents of written APs.

The detail and formality of written APs should be commensurate with the complexity of the requirement and signed by all those having an interest in the procurement, including the small business specialist.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 7—Acquisition Planning

SUBPART 7.3—CONTRACTOR VERSUS GOVERNMENT PERFORMANCE

7.304 (FAR) Procedures.

Legal advice must be obtained from CL and/or CL field Counsel involving the following matters related to acquisitions under [OMB Circular A-76](#):

- (a) Determining whether a function is inherently governmental or commercial when questionable.
- (b) Determining the assignment of personnel to perform PWS and Quality Assurance Surveillance Plan (QASP) development, management plan development, SSP development, and source selection.
- (c) Determining the particular barriers against the unauthorized flow of information (firewalls) between members of the PWS/contracting team and the Most Efficient Organization (MEO)/Agency Tender Official (ATO) team.
- (d) For definitions see OMB Circular A-76.

SUBPART 7.4—EQUIPMENT LEASE OR PURCHASE

7.470 (DFARS) Statutory requirements.

The HCA approval is required to enter into, extend, or renew any vessel, aircraft, or vehicle through a lease, charter, or similar agreement for a term of 18 months or more.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 8—Required Sources of Supplies and Services

SUBPART 8.4—FEDERAL SUPPLY SCHEDULES (FSS)

8.404 (FAR) Using schedules.

Past experience indicates that using FSS requires great scrutiny. See FAR Parts [8.404](#), [8.405](#) and DFARS Parts [208.404](#), [208.405-70](#).

8.405-6 (FAR) Limited sources justification and approval.

(a) When limiting competition for an order exceeding \$100,000 placed under a FSS, the justification shall be approved in accordance with the thresholds identified in [MAPS 6.304](#).

(b) When limiting competition for an order placed under a FSS exceeding the micro-purchase threshold, but at or below \$100,000, the Contracting Officer shall document the contract file as required by [FAR 8.405-6](#) using the procedures outlined in [CMPG, SAP Module 2.6.1\(b\)](#).

SUBPART 8.70—COORDINATED ACQUISITION

8.7004-1 (DFARS) Purchase authorization from requiring department.

(a) Use of the Military Interdepartmental Purchase Request (MIPR) or other authorized document cited in [DFARS Procedures, Guidance, and Information \(PGI\) 208.7004-1](#) involves the sending of requirements and the necessary funding to acquiring departments under the Coordinated Acquisition Program. Under this program, MIPRs may be used to send requirements to a single department, agency, or the General Services Administration (GSA) having contracting responsibility and commodity assignment for the specific commodity sought.

(b) Use of the MIPR to send requirements and funding to be held for future requirements (i.e., illegal banking of funds) is not authorized. See [MAPS Part 17](#) to determine Economy Act applicability.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 9—Contractor Qualifications

SUBPART 9.4—DEBARMENT, SUSPENSION, AND INELIGIBILITY

9.406 Debarment.

9.406-3 (NMCARS) Procedures.

CL is responsible for processing and recommending a debarment or suspension action to the DON Debarring and Suspending Official. Submit matters relevant to debarment and suspension to CL via the appropriate CCO and CL field Counsel.

9.407 Suspension.

9.407-3 (NMCARS) Procedures.

Process reports in accordance with [MAPS 9.406-3](#).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 10—Market Research

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 11—Describing Agency Needs

11.002 Policy.

(a) The Procurement Request Builder ([PR Builder](#)) is the Marine Corps' primary method of creating, routing for approval, and applying funding to a purchase request (PR) to obtain goods or services. As a minimum, each PR should contain the following information, whether or not PR Builder is utilized:

(1) PR for supplies or services.

(i) Requiring activity's address.

(ii) Name, phone number, and e-mail address of the point of contact (POC) for the requirement originator. The POC is an individual who has the most knowledge about the request that contracting personnel may contact when questions/issues arise regarding the procurement.

(iii) Price estimate and a basis for the estimate (e.g., previous purchases for similar supplies/services, and price listings).

(iv) Appropriation data, certified by the proper authority that funds are authorized and available for the purchase. Provide name, phone number, and e-mail address of the funding POC.

(v) Recommended supply source(s) or service provider(s), including complete mailing addresses, phone numbers, e-mail addresses, and POCs. When a sole source is requested, provide the reason why this is the only source that can fulfill the requirement.

(vi) Validation by the appropriate individual that the requirement cannot be satisfied within the Government supply system. Provide name, phone number, and e-mail address of the cognizant POC.

(vii) Priority assignments in accordance with the Uniform Materiel Movement and Issue Priority System (UMMIPS).

(viii) "Mark for" instructions to be cited on the purchase instrument, if applicable.

(2) PR for services. In addition to subparagraph (1), the PR should contain the following, as applicable:

(i) Description of services to be performed. The description may include a listing and description of specific items (e.g., report(s)) to be provided to the requiring activity during the performance period.

(ii) Location of where services are to be performed.

(iii) Period of performance (i.e., when services are to be performed). In cases where the anticipated period of performance exceeds one year, contracting personnel should

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 11—Describing Agency Needs

coordinate with the requiring activity regarding the potential use of option solicitation provisions and contract clauses.

(3) **PR for supplies.** In addition to subparagraph (1), the PR should contain the following, as applicable:

(i) Description of the supplies, including the following, as applicable:

(A) Common nomenclature, part number, national stock number, local stock number, model number.

(B) Kind of material (e.g., type, grade, and alternatives).

(C) Electrical data.

(D) Dimensions, size, or capacity.

(E) Principles of operation.

(F) Restrictive environmental conditions.

(G) Intended use, including equipment with which the item is to be used.

(H) Original equipment manufacturer's part number.

(I) Unit of issue (e.g., each, rolls, can, or lot).

(J) Quantity requested.

(K) Delivery information.

(1) Required delivery date(s) (must be stated as specific calendar dates).

(2) Place of delivery.

(L) Special packing or marking information.

(b) Once received in the contracting office, PRs must be reviewed for adequacy. Each office should establish minimum standards for requirements data, which must be included as a part of each PR to be considered adequate. If a PR is determined to be inadequate for procurement action, it should normally be returned to the requiring activity for modification or cancellation. Upon a determination of adequacy, contracting office personnel will record both the date and time the actionable PR was received in the contracting office for processing.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 11—Describing Agency Needs

SUBPART 11.1—SELECTING AND DEVELOPING REQUIREMENTS DOCUMENTS

11.104 (FAR) Use of brand name or equal purchase descriptions.

(a) Written approval by a warranted Contracting Officer is required for the use of “brand name or equal” specifications. The approval must be by a Contracting Officer whose warrant is greater than or equal to the value (including options) of the brand name or equal requirement.

(b) When using brand name or equal, the requirement shall include the item description followed by the words “or equal.” The salient characteristics shall be listed in sufficient detail for evaluating acceptability of unlisted products.

SUBPART 11.2—USING AND MAINTAINING REQUIREMENTS DOCUMENTS

11.274 Item identification and valuation requirements.

Submit reports regarding the use of [DFARS 252.211-7003](#), Item Identification and Valuation, in awarded contracts as requested by HQMC, I&L (Contracts), Policy & Systems Branch.

11.275-100 (DFARS) Radio frequency identification.

(a) Use the clause found at [MAPS 52.232-9651](#), USMC ACTIVE RADIO FREQUENCY IDENTIFICATION (RFID) IMPLEMENTATION (MAY 2008), in solicitations and contracts that will require a contractor to ship consolidated sustainment shipments (RFID Layer 4 freight containers) and/or major organizational equipment through the Defense Transportation System (DTS) destined to locations Outside the Continental United States (OCONUS). These requirements are established in [USD \(Acquisition, Technology and Logistics\) \(USD \(AT&L\)\) Memorandum, Subj: Radio Frequency Identification \(RFID\) Policy, dated 30 July 2004](#), and the [Defense Transportation Regulation 4500.9-R](#).

(b) With contract award the Contracting Officer shall specifically highlight to the contractor in an appropriate area in the award document the requirement for an Active RFID tag. For example, under the Contract Line Item Number (CLIN) description, include a note such as “An Active RFID tag is required. See [MAPS 52.232-9651](#), USMC Active RFID Implementation (MAY 2008), included in the contract.”

SUBPART 11.6—PRIORITIES AND ALLOCATIONS

11.602 (FAR) General.

All Contracting Officers of the Marine Corps are delegated the authority to apply DO ratings and allotment numbers to contracts, purchase orders, and delivery orders for approved programs under the Defense Priorities and Allocations System (DPAS) program.

11.603 (FAR/DFARS) Procedures.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 11—Describing Agency Needs

Contracting Officers must, when required, include in contracts, purchase orders, and delivery orders any assigned DO ratings in accordance with the latest editions of [15 Code of Federal Regulations \(CFR\) 700](#), [DoD 4400.1-M](#), and [NAVSUPINST 4830.11A](#).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 12—Acquisition of Commercial Items

SUBPART 12.1—ACQUISITION OF COMMERCIAL ITEMS—GENERAL

12.101-100 Policy.

(a) The DoD Electronic Mall ([DoD EMALL](#)) is intended to be the single entry point for purchasers to acquire off-the-shelf, finished items and services from the commercial marketplace and government sources. In addition, Contracting Officers and GCPC cardholders are encouraged to use this resource for market research and price comparisons when satisfying their requirements.

(b) Contracting with military exchanges and other nonappropriated fund instrumentalities (NAFIs) for items and services is authorized per [ASN \(RD&A\) Memorandum, Subj: Contracting with Military Exchange and Other Nonappropriated Fund Instrumentalities \(NAFI\) for Goods and Services \(E. Branch\), dated 18 November 1997](#), which implements 10 U.S. Code § 2482a. Contracting Officers and GCPC cardholders are authorized to acquire goods and services from the military exchanges (e.g., Army Air Force Exchange Service (AAFES), Navy Exchange (NEX), and Marine Corps Exchange (MCX)) and other NAFIs. Normal procurement regulations are applicable, and NAFIs are not to be given preferential treatment in the source selection process. Military exchanges are not considered small business concerns as defined in [FAR 19.001](#).

SUBPART 12.4—UNIQUE REQUIREMENTS REGARDING TERMS AND CONDITIONS FOR COMMERCIAL ITEMS

12.403 (NMCARS) Termination for Cause Reporting.

(a) Upon termination for cause on any commercial item contract, submit a notification to HQMC, I&L (Contracts), Policy & Systems Branch that contains the information outlined in NMCARS Annex 5 immediately following the termination modification.

(b) A log shall be kept of all commercial item contracts terminated for cause. These termination actions shall be reported annually as outlined in [Appendix B](#). Each report shall be submitted in the format outlined in [Appendix H](#). Negative replies are required.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 13—Simplified Acquisition Procedures (SAP)

13.003 (NMCARS) Policy.

Per [NMCARS 5213.003](#), and unless otherwise specified, the Marine Corps shall follow DON-wide policies for simplified acquisition issued by the NAVSUP as follows:

(a) Simplified acquisition policies and procedures are found in [NAVSUPINST 4200.85D](#). Interim changes to that instruction and other simplified acquisition policies, procedures, and guidance are posted in the [Naval Logistics Library, NAVSUP Contract Management Library](#).

(b) Specific policies and procedures for the operation and management of the GCPC Program are found in [DON Policies and Procedures for the Operation and Management of the GCPC Program NAVSUPINST 4200.99](#). In addition, Marine Corps unique procedures shall be adhered to as outlined in the CMPG GCPC Module.

(c) Training modules for the DON GCPC Program are available via the Internet at the [DON Purchase Card Training website](#).

SUBPART 13.1—PROCEDURES

13.106-1 Soliciting competition.

When soliciting from a single source for acquisitions above the micro-purchase threshold and at or below the SAT, the Contracting Officer shall complete a written justification documenting the circumstances that demonstrate only one source is reasonably available. Justifications shall be prepared in the format specified in [CMPG, SAP Module 6.2.3](#).

SUBPART 13.2—ACTIONS AT OR BELOW THE MICRO-PURCHASE THRESHOLD

13.270 (DFARS) Use of the Government-wide commercial purchase card (GCPC).

The GCPC shall be used as the method of purchase and/or payment for services and supplies valued at or below the micro-purchase threshold unless the exceptions listed in [DFARS 213.270](#) apply.

SUBPART 13.3—SIMPLIFIED ACQUISITION METHODS

13.301-100 (FAR) Government-wide commercial purchase card.

(a) [NAVSUPINST 4200.99](#) establishes procedures under which the GCPC may be used as a method of payment for transactions over the micro-purchase threshold. Within the Marine Corps utilizing the GCPC as a method of payment above the micro-purchase threshold is not preferred and should only be done when no other means of contract payment is feasible and/or practicable.

(b) The following approvals are required when using the GCPC as a method of payment above the micro-purchase threshold:

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 13—Simplified Acquisition Procedures (SAP)

(1) For contracts with a total estimated value of \$25,000 or less, the GCPC may only be used as a method of payment with the approval of the CCO or an authorized designee.

(2) For contracts with a total estimated value greater than \$25,000, the GCPC may only be used as a method of payment with the approval of the ADC, I&L (Contracts), or an authorized designee.

(c) CCOs will submit monthly reports documenting the use of this authority to HQMC, I&L (Contracts), Field Support Branch.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 14—Sealed Bidding

SUBPART 14.4—OPENING OF BIDS AND AWARD OF CONTRACT

14.407 Mistakes in bids.

14.407-3 (FAR/NMCARS) Other mistakes disclosed before award.

(a) The ADC, I&L (Contracts), without power of redelegation, shall make the determinations required by [FAR 14.407-3](#)(a), (b), and (d).

(b) Evidence in support of requests for correction of bids shall be forwarded via the RCO CCO to the ADC, I&L (Contracts). The package shall contain the Contracting Officer's analysis and recommendation as well as the bidder's original work sheets, a certification by the bidder that the work sheets are the originals and the mistake and amount to be corrected are accurate and true to the best of their knowledge and belief, and a legal memorandum by the CL field Counsel.

(c) Requests for withdrawal of bids must be accompanied by a declaration from the bidder that, if permitted to withdraw and the work is awarded to another bidder, the withdrawing bidder will not participate in the work through subcontract or otherwise.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 15—Contracting by Negotiation

SUBPART 15.3—SOURCE SELECTION

15.303 Responsibilities.

(a) Source Selection Authority (SSA). The Contracting Officer or the CCO, as determined locally, shall serve as the SSA, unless an alternate individual is designated by the ADC, I&L (Contracts). The SSA is responsible for ensuring that all aspects of the selection process are conducted properly. Based on input from an evaluation team tailored for a particular acquisition, the SSA personally determines the successful offeror and documents the decision in the source selection decision.

(b) For negotiated contracts less than \$10,000,000, a Contracting Officer operating within his/her warranted authority may perform the duties of both the SSA and Source Selection Advisory Council (SSAC), with a single technical evaluator performing the duties of the Source Selection Evaluation Board (SSEB).

(c) For negotiated contracts greater than \$10,000,000, a formal source selection organization shall be used.

(d) The Small Business Specialist shall, at a minimum, be an advisor to the SSEB when [FAR 15.304\(c\)\(4\)](#) applies.

(e) SSP. A written SSP shall be prepared for all planned acquisitions greater than the SAT. Tailor the contents and extent of the plan consistent with the dollar value and complexity of the proposed acquisition. Notwithstanding the SSA approval threshold, all SSPs for acquisitions above the business clearance approval levels established at MAPS 1.690 shall be forwarded to ADC, I&L (Contracts) for approval prior to issuance of the solicitation. SSPs shall be prepared using the template included in [CMPG, Section 3.2](#) and, at a minimum, contain the following information:

(1) A description of the project/procurement to include the rationale as required by [FAR 6.401](#) that underlies the decision to use source selection procedures.

(2) A listing by name of the SSA, members of the SSAC (if required), the Contracting Officer (if different from the SSA), the Chairperson of the SSEB, the individual members of the SSEB, if required, the small business specialist, the person(s) conducting cost and/or price analysis, the chair and members of the Past Performance Evaluation Team (if a separate board is used), CL field Counsel, and the Contracting Officer's staff who will handle this procurement.

(3) A copy of Section L, Instructions to Offerors, of the proposed solicitation.

(4) A listing of the evaluation factors and weighting that will be used, including a copy of Section M of the proposed solicitation. Any source selection where the relative importance makes the weight given to technical factors greater than price requires prior written approval from the CCO.

(5) The evaluation process to be used by the SSEB. This evaluation process shall be described in sufficient detail so that the SSEB requires no other documentation in conducting their evaluation.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 15—Contracting by Negotiation

15.308 Source selection decision.

A source selection decision document shall be prepared for all source selections and reflect the SSA's integrated and independent assessment and decision. The document must be the single summary document supporting selection of the best value proposal consistent with the stated evaluation criteria. It must clearly explain the decision and document the reasoning used by the SSA to reach a decision. The document should be releasable to the Government Accountability Office (GAO) and others authorized to receive proprietary and source selection information. When releasing a copy to offerors or to anyone not authorized to receive proprietary and source selection information, redacted material should be limited to that which is proprietary and that which must continue to be protected as source selection information.

SUBPART 15.4—CONTRACT PRICING

15.403-1 (NMCARS) Annual Truth in Negotiations Waivers, Cost Accounting Standards Waivers, and Commercial Item Exception Reports

An annual report consisting of all Truth in Negotiation (TINA) waivers, Cost Accounting Standard (CAS) waivers, and commercial item exception reports shall be submitted to HQMC, I&L (Contracts), Policy & Systems Branch. Negative replies are required.

15.403-100 Report on In Process Waivers for TINA

Upon request by HQMC, I&L (Contracts), CCOs shall provide requesting information regarding in process waivers for TINA. Negative replies are required.

15.404-70 DD Form 1547, Record of Weighted Guidelines Method Application

MCFCs offices shall use the web-based [Weighted Guidelines \(WGL\) Profit Weighted Guidelines Application](#) which automates development of the DD Form 1547 while standardizing profit analysis and the reporting of profit statistics whenever a structured approach to profit analysis is required by [DFARS 215.404-4](#).

15.406 Documentation.

15.406-90 (NMCARS) Business clearance.

In all acquisitions greater than \$100,000, the Contracting Officer will prepare a business clearance memorandum (BCM) in accordance with the applicable format outlined in [CMPG, BCM Module 11.0](#). BCM approval thresholds are identified in [MAPS 1.690](#).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 15—Contracting by Negotiation

SUBPART 15.6—UNSOLICITED PROPOSALS

15.606 Agency procedures.

Pursuant to [FAR 15.606-2](#), all unsolicited proposals shall be forwarded to the contracting office for evaluation. The CCO shall determine the disposition of the proposal. This authority may not be re-delegated.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 16—Types of Contracts

SUBPART 16.4—INCENTIVE CONTRACTS

16.470-100 Report on use of award fee and incentive fee contracts.

Submit reports regarding the use of award fee and incentive fee contracts as requested by HQMC, I&L (Contracts), Policy & Systems Branch.

SUBPART 16.5—INDEFINITE DELIVERY CONTRACTS

16.503 Requirements contracts.

(a) The contract price on the award document shall be marked: “Estimated Total Price Base Year Only.”

(b) No funds shall be obligated at time of award but are obligated at time of issuance of orders against the contract.

16.504 Indefinite-quantity contracts.

(a) The contract price on the award document shall be marked: “Not to Exceed” (NTE).

(b) Funds are to be obligated at time of award for the minimum quantity only.

16.505 Ordering.

(a) *General.*

(1) Delivery/task orders may only be executed by a warranted Contracting Officer or an ordering officer designated pursuant to [MAPS 1.602-2\(b\)](#).

(2) All delivery/task orders shall be issued on DD Form 1155 or Standard Form (SF) 1449, as appropriate.

(3) Orders under contracts funded with annual appropriations shall not be executed in one fiscal year with commencement beginning in the next fiscal year (See [FAR 32.703-3](#) and [DFARS 232.703-3](#)).

(b) *Orders under multiple award contracts.*

(1) When limiting competition for task orders under multiple award contracts a justification shall be approved in accordance with the thresholds identified in [MAPS 6.304](#).

(c) **(NMCARS) Task and Delivery Order Ombudsman.** As Competition Advocate, ADC, I&L (Contracts) is designated as the ombudsman for task order/delivery order contracts. This designation may not be re-delegated.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 16—Types of Contracts

SUBPART 16.6—TIME-AND-MATERIALS, LABOR-HOUR, AND LETTER CONTRACTS

16.603-3 Limitations.

CCOs are authorized to make the written determination concerning a letter contract that no other contract is suitable. This authority may not be re-delegated.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 17—Special Contracting Methods

SUBPART 17.1—MULTI-YEAR CONTRACTING

17.105 (NMCARS) Policy.

17.105-1 Uses.

CCOs are delegated authority to award multi-year contracts, subject to the conditions contained in the FAR and DFARS. This authority may not be re-delegated.

17.171 (DFARS) Multi-year contracts for services.

CCOs are delegated the authority to make the determinations described in [DFARS 217.171\(a\)\(3\)](#). This authority may not be re-delegated.

SUBPART 17.2—OPTIONS

17.204 (NMCARS) Contracts.

(a) The use of contract terms (total of the basic and option periods for services and the total of the basic and option quantities for supplies) in excess of the limitations specified in [FAR 17.204\(e\)](#) shall be supported in the form of a written justification and submitted to ADC, I&L (Contracts) for approval. The justification shall explain how the procurement's competitive history and/or significant capital investment requirement indicates that a longer period of performance is necessary to establish or maintain competition.

(b) Approval requests for establishing an ordering period in excess of 10 years shall be submitted to ADC, I&L (Contracts) for review and subsequent forwarding to DASN (A&LM).

SUBPART 17.5- INTERAGENCY ACQUISITIONS UNDER THE ECONOMY ACT AND NON-ECONOMY ACT AUTHORITIES; ORDERS PLACED WITH AGENCIES/DEPARTMENTS OUTSIDE THE MARINE CORPS; DIRECT ACQUISITIONS OF SUPPLIES AND SERVICES

17.501 Definitions.

As used in this subpart—

“Assisting Agency” means the department/activity outside of the Marine Corps with contracting responsibility for a Marine Corps requirement.

“Assisted Acquisition” means a contract awarded or a task or delivery order placed on behalf of the Marine Corps by an official of the United States outside of the Marine Corps. This may also include situations in which the assisting agency provides the support themselves.

“Direct Acquisition” means a task or delivery order placed by a Marine Corps Contracting Officer/Ordering Officer against a contract vehicle established outside of the DoD.

“DoD Agency” means Army, Navy, Air Force and DoD Agencies such as the Defense Logistics Agency (DLA).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 17—Special Contracting Methods

“Economy Act Order” means orders involving funds transfers using the authority of the Economy Act.

“Interagency Acquisition” means a procedure by which an agency needing supplies or services (the requiring agency) obtains them from another agency (the assisting agency).

“Micro-Purchase Threshold” currently means \$3,000, except it means—

- (1) \$2,500 for acquisitions of services subject to the Service Contract Act;
- (2) \$2,000 for acquisitions of construction subject to the Davis-Bacon Act; and
- (3) As otherwise specified in [FAR 2.101](#).

“Non-DoD Agency” means any Federal agency outside of the DoD.

“Non-Economy Act Order” means orders involving funds transfers using the authority other than the Economy Act, the most commonly used authorities being the GSA Acquisition Services Fund or Franchise Funds.

“Non-Marine Corps contracts” means contracts awarded by an official outside the Marine Corps. These include optional use FSS, BPAs issued against FSS, and other contracts/schedules awarded outside the Marine Corps.

“Requiring Individual” means the individual in the organization responsible for identifying and fulfilling the requirement.

“Requiring Activity Supporting Contracting Office” means the Marine Corps contracting activity normally providing contracting support to the requiring organization.

“SAT” currently means \$100,000 except as further defined in [FAR 2.101](#).

17.502-100 General.

(a) The Economy Act, 31 United States Code 1535, provides tremendous flexibility in the execution of our mission by allowing the Marine Corps to legally transfer funds outside the Marine Corps to other Federal agencies. The Act authorizes Federal agencies to obtain supplies or services via interagency acquisitions that are determined to be in the best interest of the Government when the supplies or services cannot be obtained as conveniently or economically by contracting directly with a private source.

(b) [FAR 17.5](#), [DFARS 217.5](#), and [NMCARS 5217.5](#) provide overarching guidance on the implementation of the Economy Act at the Federal, DoD, and DON level. Within the Marine Corps, the ADC, I&L (Contracts) and Marine Corps Systems Command (MARCORSYSCOM) have been delegated the authority to approve the D&Fs required under this section, and as appropriate, to delegate approval authority to others.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 17—Special Contracting Methods

(c) Section 854 of the FY2005 National Defense Authorization Act (NDAA), Section 813 of the FY2006 NDAA, [DFARS 217.78](#), and [Office of the ASN \(Financial Management and Comptroller\) \(OASN\(FM&C\)\) Memorandum, Subj: Non-Economy Act Orders with Non-DoD Agencies, dated 31 January 2007](#) and [OASN\(FM&C\) Memorandum, Subj: Advance Payments to Non-DoD Federal Agencies for Interagency Acquisitions, dated 1 March 2007](#) require additional reviews, approvals, and reporting for all interagency acquisitions. This guidance applies to acquisitions using the authority of the Economy Act or Non-Economy Act. [MAPS Subpart 17.5](#) implements these additional requirements Marine Corps wide.

17.503 Determinations and findings requirements.

The following policy applies to all activities that use Non-Marine Corps contracts or resources to satisfy their requirements. [CMPG, Section 1.5.1](#) includes a D&F template for assisted acquisitions and BCM documentation requirements for direct acquisitions that outlines information required to comply with the law, Office of the Secretary of Defense (Comptroller) and the ASN (FM&C) policy.

(a) Economy Act Orders.

(1) Assisted acquisitions made through DoD agencies greater than the micro-purchase threshold and less than or equal to \$5M. To comply with the Economy Act, 31 United States Code 1535, the contracting officer, with the assistance of the requiring individual, comptroller, and legal counsel, will prepare and approve the D&F before any funds are transferred outside the Marine Corps.

(2) Assisted acquisitions made through DoD agencies greater than \$5M. To comply with the Economy Act, 31 United States Code 1535, the contracting officer, with the assistance of the requiring individual, comptroller, and legal counsel, will prepare the D&F and forward it to ADC, I&L (Contracts) for approval before any funds are transferred outside the Marine Corps.

(3) Assisted acquisitions (other than through franchise funds) made through Non-DoD agencies greater than the micro-purchase threshold. To comply with the Economy Act, 31 United States Code 1535, the Contracting Officer, with the assistance of the requiring individual, comptroller, and legal counsel, will prepare the D&F and forward it to ADC, I&L (Contracts) for approval before any funds are transferred outside the Marine Corps.

(b) Non-Economy Act Orders.

(1) Assisted acquisitions made through Non-DoD agencies less than the SAT (currently \$100K). The approval process and documentation requirements are as prescribed by local comptroller in accordance with sound financial management practices.

(2) Assisted acquisitions made through Non-DoD agencies greater than the SAT and less than or equal to \$5M. To comply with Section 854 of the FY2005 NDAA and Section 813 of the FY2006 NDAA the contracting officer, with the assistance of the requiring individual, comptroller, and legal counsel will prepare and approve the D&F before any funds are transferred outside the Marine Corps.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 17—Special Contracting Methods

(3) Assisted acquisitions made through Non-DoD agencies greater than \$5M. To comply with Section 854 of the FY2005 NDAA and Section 813 of the FY2006 NDAA the contracting officer, with the assistance of the requiring individual, comptroller, and legal counsel will prepare the D&F and forward it to ADC, I&L (Contracts) for approval before any funds are transferred outside the Marine Corps.

(c) The requiring individual who generates requirements for execution is responsible for providing the needed information to the comptroller, contracting office, and legal counsel so that the requisite documentation can be acted upon. As a minimum, the requiring individual must provide the needed information in a format consistent with the D&F template included in [CMPG, Section 1.5.1](#). In addition, the requiring individual must establish procedures and controls that ensure all required MIPR documents and source documentation, including support for the receipt of ordered goods and services and the validity of related disbursements, are properly maintained in a single file location. The existence of an interservice/intergovernmental support agreement, memorandum of agreement or memorandum of understanding under DoD Instruction 4000.19 does not negate the requirement for a D&F.

(d) The cognizant comptrollers will not release funds for interagency procurements until the required documentation has been completed. The comptroller will also take necessary actions to ensure appropriate tracking of funding transferred outside the Marine Corps to ensure a proper audit trail.

(e) Examples where these procedures do not apply:

(1) Supplies and services procured under mandatory supply sources as defined in [FAR Part 8](#) (e.g., purchases on the Procurement List maintained by the Committee for Purchase From People Who Are Blind or Severely Disabled—AbilityOne) or mandatory sources provided for under other specific authority.

(2) Transfers by a tenant activity to a host activity for the reimbursement of utilities (e.g., water, sewer, telephone).

(3) Mobile (cellular) phone services and mobile data services (i.e., BlackBerry® and like devices) pursuant to [ASN\(RD&A\) Memorandum, Subj: Department of the Navy Acquisition Policy on Mobile \(Cellular\) Phone and Data Equipment and Services, dated 7 March 2005](#).

(4) Architect-engineer, construction and facilities support contracts performed by NAVFAC pursuant to [NMCARS 5201.601-90\(a\)\(1\)](#) (to include the Naval Construction Force/Seabees).

(5) Construction procured from the Army in Japan and Okinawa pursuant to [DoDD 4270.5](#).

(f) Reporting Requirement.

(1) To facilitate the preparation of the below required annual report, and for ease of audit, Chiefs of the Contracting Offices (CCO) shall maintain in a single location within the office a file of all Economy Act and Non-Economy Act D&Fs the office has approved.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 17—Special Contracting Methods

(2) The CCOs will report all assisted Economy Act Orders and Non-Economy Act Orders that all contracting officers under their supervision have approved during the previous fiscal year as required by ASN(RD&A) Memorandum, Subj: Acquisition of Services, dated 01 December 2006. This report will be sent to HQMC, I&L (Contracts), Policy & Systems Branch, in accordance with the due date identified in [Appendix B](#). Reports shall be provided in the format outlined in [CMPG, Section 1.5.1](#). Negative replies are required.

17.503-100 Direct acquisitions of supplies and services greater than the SAT.

Pursuant to paragraph 5 of the DON Guidelines for Proper Use of Non-DoD Contracts (14 December 2004), a direct acquisition includes a task or delivery order placed by a Marine Corps Contracting Officer/Ordering Officer against a contract vehicle established outside of the DoD (e.g., Federal civilian agencies to include their franchise funds). Direct acquisitions include optional use FSS, BPAs issued against FSS, and other contracts/schedules awarded outside the Marine Corps. To comply with Section 854 of the FY2005 NDAA, and Section 813 of the FY2006 NDAA as implemented by [OASN\(FM&C\) Memorandum, Subj: Non-Economy Act Orders with Non-DoD Agencies, dated 31 January 2007](#) and [OASN\(FM&C\) Memorandum, Subj: Advance Payments to Non-DoD Federal Agencies for Interagency Acquisitions, dated 1 March 2007](#), approvals for direct acquisitions will be granted concurrently with the BCM. Therefore, the BCM is required to include the information outlined in [CMPG, Section 1.5.1.d](#). Approval authority for direct acquisitions is the business clearance approval official.

SUBPART 17.74—UNDEFINITIZED CONTRACT ACTIONS (UCAs)

17.7403 (DFARS) Policy.

17.7403-100 Management of UCAs.

CCOs shall provide management oversight over all UCAs issued by Contracting Officers serving under the CCO's delegation of contract authority to ensure appropriate use, management attention to backlog, and establishment/adherence to definitization schedules.

17.7404 Limitations.

17.7404-1 (DFARS) Authorization.

(a) Approval authority for UCAs, including change orders under the Changes clause, undefinitized task/delivery orders, and letter contracts, shall be as follows:

(1) UCAs less than \$1,000,000, authority is delegated to the CCO.

(2) UCAs in an amount greater than \$1,000,000 shall be forwarded to ADC, I&L (Contracts) for approval.

(b) A NTE ceiling price shall be established for each UCA. This NTE ceiling price may be adjusted by modification during performance if circumstances warrant, but shall not be exceeded at definitization. See [MAPS 43.201](#) for application to change orders.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 18—Emergency Acquisitions

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 19—Small Business Programs

SUBPART 19.2—POLICIES

19.201 General policy.

(a) A full-time or part-time Deputy for Small Business shall be appointed at all Marine Corps contracting offices with contracting authority of \$25,000 or more per [SECNAVINST 4380.8B](#). The individual must meet the qualification requirements provided by [SECNAVINST 4380.8B](#) and be approved by the HQMC, Director of Small Business.

(b) Based on small and disadvantaged program targets assigned to the Marine Corps by the Secretary of the Navy's Director, Office of Small Business Programs (OSBP), the HQMC, Director of Small Business shall establish specific target assignments for MCFCS offices.

(c) All FAR and DFARS requirements requiring HCA or OSN OSBP review or decision that may impact small and disadvantaged business programs shall be coordinated with the HQMC, Director of Small Business.

(d) All DD 2579s shall be reviewed and signed only by the Contracting Officer (block 17 of the DD 2579) and the MCFCS Small Business Specialist (block 18 of the DD 2579), unless when required by [FAR 19.202-1\(e\)\(1\)](#) or [DFARS 219.201\(d\)\(10\)\(C\)](#), it is necessary for a Small Business Representative to also review the proposed acquisition. For any MCFCS offices that do not currently have a local Small Business Specialist, block 18 of the DD 2579 shall be signed by the HQMC, Director of Small Business (DSB) or his designee.

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MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 22—Application of Labor Laws to Government Acquisitions

SUBPART 22.1—BASIC LABOR POLICIES

22.101 (DFARS) Labor relations.

Contracting Officers shall consult with the DON Labor Advisor for all labor relation actions identified in [DFARS Part 222](#), as supplemented. The DON Labor Advisor is located in the office of the DASN (A&LM). Contact information for this advisor can be found on the Navy Labor Advisor website available in [CMPG, Section 1.7.3](#).

SUBPART 22.10—SERVICE CONTRACT ACT OF 1965, AS AMENDED

22.1002 Statutory requirements.

Service Contract Act wage determinations and related contract labor information may be accessed using the Wage Determinations OnLine link located in [CMPG, Section 1.7.3](#).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 23—Environment, Conservation, Occupational Safety, and Drug-Free Workplace

SUBPART 23.4—USE OF RECOVERED MATERIALS

23.404 (FAR) Agency affirmative procurement programs.

Contracting Officers shall participate in the implementation and execution of their command's affirmative procurement program. Specific Marine Corps guidance is included in the latest editions of [MCO P5090.2A](#) and the DON Green Procurement Program Implementation Guide.

SUBPART 23.8—OZONE-DEPLETING SUBSTANCES

23.803-100 Elimination of use of Class I Ozone-Depleting Substances (ODS).

Approvals for local purchases of a Class I ODS must be compiled and submitted annually to the HQMC, I&L, Logistics Capabilities Center (CMC (LPC)), no later than January 10 for consolidation and submission to DASN (A&LM).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 24— Freedom of Information Act

SUBPART 24.2—FREEDOM OF INFORMATION ACT

24.203 Policy.

All FOIA requests shall be coordinated through the Command's FOIA Coordinator. Marine Corps implementation is in [SECNAVINST 5720.42F](#). [Marine Corps FOIA On-Line](#) provides general information about the U.S. Marine Corps FOIA Program and answers some basic questions frequently asked by the public.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 25—Foreign Acquisitions

SUBPART 25.1—BUY AMERICAN ACT—SUPPLIES

25.103 (DFARS) Exceptions.

(a) *Public interest.*

(ii) (B) A determination whether to grant a public interest exception shall be made after consideration of the factors in 10 U.S.C. 2533—

(1) By the CCO for acquisitions valued at or less than the SAT. This authority may not be re-delegated.

(2) By ADC, I&L (Contracts) for acquisitions with a value greater than the SAT but less than \$1,000,000.

(b) *Nonavailability.*

(ii) The determination must be approved—

(B) By the CCO for acquisitions with a value greater than the SAT but less than \$1,000,000. This authority may not be re-delegated.

(C) By DC, I&L or ADC, I&L (Contracts) for acquisitions greater than \$1,000,000.

SUBPART 25.70—AUTHORIZATION ACTS, APPROPRIATIONS ACTS, AND OTHER STATUTORY RESTRICTIONS ON FOREIGN ACQUISITION

25.7002 (DFARS) Restrictions on food, clothing, fabrics, specialty metals, and hand or measuring tools.

25.7002-2 (DFARS) Exceptions.

(b) If the Contracting Officer determines, through market research, that an article or suitable substitute is not available from a domestic source, the Contracting Officer shall contact HQMC, I&L (Contracts). HQMC, I&L (Contracts) will confer with the Department of Commerce (DOC) and request a list of possible domestic sources. Upon notification from HQMC, I&L (Contracts) that DOC has not identified domestic source(s), the Contracting Officer shall submit a D&F, including the market research report, to HQMC, I&L (Contracts). The authority of the Secretary of the Navy to make determinations in accordance with [DFARS 225.7002-2](#) is not delegable.

SUBPART 25.73--ACQUISITIONS FOR FOREIGN MILITARY SALES

25.7300-100 Report to Congress on foreign sales of significant military equipment manufactured in the United States.

Submit reports regarding foreign sales of significant military equipment manufactured in the United States as requested by HQMC, I&L (Contracts), Policy & Systems Branch.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 26—Other Socioeconomic Programs

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 27—Patents, Data, and Copyrights

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 28—Bonds and Insurance

SUBPART 28.1—BONDS AND OTHER FINANCIAL PROTECTIONS

28.103 Performance and payment bonds for other than construction contracts.

28.103-1 General.

Performance and/or payment bonds for contracts other than construction will not be used without the prior approval of ADC, I&L (Contracts).

28.105 (FAR) Other types of bonds.

ADC, I&L (Contracts) may approve using other types of bonds in connection with acquiring particular supplies or services.

28.106 (FAR) Administration.

28.106-2 Substitution of surety bonds

ADC, I&L (Contracts) approval is required prior to substituting the original bond with a new surety bond covering all or part of the obligations on the previously approved surety bond.

SUBPART 28.2—SURETIES AND OTHER SECURITY FOR BONDS

28.203 Acceptability of individual sureties.

The Contracting Officer shall submit documentation in support of individuals proposed as individual sureties to CL field Counsel for review prior to making a determination of acceptability.

SUBPART 28.3—INSURANCE

28.306 (FAR) Insurance under fixed-price contracts.

(a) Contractors shall not be required to provide insurance coverage on Government-owned/furnished equipment and materials without CCO approval. This authority may not be re-delegated.

(b) Contracts requiring work on Government property and which include transportation or transportation-related services shall specify insurance coverage as required by state and local laws or by [FAR 28.307-2](#), whichever results in higher coverage. On a case-by-case basis, Level II and III Contracting Officers are authorized to specify higher coverage.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 29—Taxes

SUBPART 29.3—STATE AND LOCAL TAXES

29.302 Application of state and local taxes to the Government.

(a) If the Federal Government's exemption from state and local taxes cannot otherwise be readily obtained, and it is economically feasible to do so, the Contracting Officer may utilize SF 1094, U.S. Tax Exemption Form to seek tax exemption. The Contracting Officer is the authority to determine whether or not it is cost effective to issue a SF 1094; however, the form should not be used when the amount of state or local tax is \$10 or less.

(b) The GCPC has the phrase "U.S. Government Tax Exempt" printed on the front of each purchase card, and should be cited whenever the card is used for purchase or payment to help ensure that sales taxes are not charged.

(c) Whether any specific purchase or lease is immune from state and local taxation is a legal question and should be referred to CL field Counsel for advice and assistance.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 30—Cost Accounting Standards Administration

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 31—Contract Cost Principles and Procedures

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 32—Contract Financing

SUBPART 32.6—CONTRACT DEBT

32.610 Demand for payment of contract debt.

(a) Payments made as a consequence of a contract debt arising from a default termination/overpayment should only be made by check payable to the “Accounting and Finance Officer” and forwarded to the Disbursing Office, Defense Finance and Accounting Service, Kansas City Center/ADDC, 1500 E. 95th Street, Kansas City, MO 64197-0001.

(b) Whenever a Contracting Officer renders a final decision that results in a contractor being contractually indebted to the Government, the Contracting Officer should simultaneously issue a demand letter to the contractor, with a copy to the appropriate finance office. The demand letter should be issued in all such cases, irrespective of any action taken or planned by the contractor to appeal the Contracting Officer’s decision.

(c) If a contractor is indebted to the U.S. Government and there are invoices awaiting payment in the Vendor Pay office, on day 31, the Accounts Receivable Office (ARO) will notify the Vendor Pay office of any receivable for which repayment has not been received to initiate offset for the overpayments. The Vendor Pay office will then offset invoices currently in house. A comment will appear on the payment/disbursing voucher to indicate the offset action for the contractor’s reference.

(d) Contractor requests for installments or deferments in payment should be made to the Contracting Officer. The recipient office shall forward requests for deferment or installments of contract debts to the CCO. The CCO shall submit, on a priority basis, an evaluation of the contractor’s proposal with the necessary reporting information recommendation to ADC, I&L (Contracts) for forwarding to the ASN (Financial Management & Comptroller) via DASN (A&LM). If installments or deferments in payment have been approved by authorities involved, the CCO should forward this information to the appropriate finance office.

(e) Vendor Pay and the ARO will refer uncollected receivables to the Debt Management Office no later than 91 days from the original date of the bill. Collecting delinquent contract debts is the responsibility of DFAS-Columbus, Debt Management Office (DFAS-BVDW).

SUBPART 32.7—CONTRACT FUNDING

32.702 Policy.

Based on customer and project history, Contracting Officers may use their own discretion in requiring either a commitment of funds or actual funds in hand before issuing solicitations or requests for proposals (RFPs) for delivery/task orders or modifications. The Program/Project Manager remains responsible for validation of funds availability and communicating this to the Contracting Officer.

32.703 Contract funding requirements.

32.703-1 (DFARS) General.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 32—Contract Financing

If required, ADC, I&L (Contracts) may approve the use of incremental funding for either base services contracts or hazardous/toxic waste remediation contracts.

SUBPART 32.70—ELECTRONIC SUBMISSION AND PROCESSING OF PAYMENT REQUESTS

32.7003 (DFARS) Procedures.

(a) The Marine Corps standard electronic means for transmission of payment information by all parties (contractor, payment office, contract administration office) is Wide Area WorkFlow ([WAWF](#)).

(b) All Marine Corps solicitations and contracts that include [DFARS 252.232-7003](#) will contain [MAPS Clause 52.232.9650](#), USMC Wide Area Workflow Implementation (Jul 08), which addresses the requirement to use WAWF.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 33—Protests, Disputes, and Appeals

SUBPART 33.1—PROTESTS

33.103 (NMCARS) Protests to the agency.

(a) All agency-level protests received by Marine Corps contracting offices shall be subject to review and resolution by the Contracting Officer.

(b) When an interested party requests an independent review of its protest at a level above the Contracting Officer, the Contracting Officer must submit the protest and the applicable documents described in [FAR 33.104\(3\)\(ii\)-\(iv\)](#) to the CCO for resolution.

(c) Protests received at field contracting offices that are not designated as regional offices shall be reviewed and resolved by the CCO overseeing that office.

(d) Where a CCO is the Contracting Officer and the protester seeks review one level above the Contracting Officer, the matter will be forwarded to HQMC, I&L (Contracts) for resolution.

(e) Proposed contract protest decisions by Contracting Officers must be reviewed by CL field Counsel prior to issuance.

(f) Reporting requirements. CCOs shall maintain a log of all agency protests and their resolution. An annual report shall be submitted to HQMC, I&L (Contracts), Policy & Systems Branch, in accordance with the due dates identified in [Appendix B](#). The format of the report shall be as outlined in [Appendix F](#). Negative replies are required.

33.104 (FAR/NMCARS) Protests to the Government Accountability Office (GAO).

(a) CL serves as the contact point for GAO protests.

(b) CL field Counsel provides legal support to the contracting office that receives a protest. CL field Counsel, with input from the Contracting Officer, will prepare the agency administrative report in response to the protest. The proposed reports to GAO and all accompanying documents must be submitted by the Contracting Officer to CL via the appropriate CL field Counsel at least five calendar days before the report is due at GAO.

(c) Award of costs.

(1) In accordance with [FAR 33.104\(h\)\(6\)](#), Contracting Officers shall consult with CL field Counsel before paying a recommended award of costs under [FAR 33.104\(h\)\(6\)](#).

(2) ADC, I&L (Contracts) or designee shall consult with CL and DASN (A&LM) before any decision is made not to implement a GAO recommendation.

(d) Reporting requirements. CCOs shall maintain a log of all GAO protests and their resolution. An annual report shall be submitted to HQMC, I&L (Contracts), Policy & Systems Branch, in accordance with the due dates identified in [Appendix B](#). The format of the report shall be as outlined in [Appendix G](#). Negative replies are required.

SUBPART 33.2—DISPUTES AND APPEALS

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 33—Protests, Disputes, and Appeals

33.203 (NMCARS) Applicability.

ADC, I&L (Contracts) is delegated the authority to make the determination that the application of the Contract Disputes Act of 1978 does not apply to a particular contract as a matter of public interest. This may not be delegated.

33.211 Contracting Officer's decision.

(a) Personnel who prepare memoranda or notes concerning a claim that is intended for CL or CL field Counsel shall place a legend on each page as follows:

"ATTORNEY-CLIENT PRIVILEGE FOR OFFICIAL USE ONLY: This document is prepared for use by Government attorneys in connection with a contractor's claim. It is not to be released outside the Government or to Government personnel not having a need to know."

(b) When a Contracting Officer issues a final decision, a copy of that decision will be forwarded to ADC, I&L (Contracts) who in turn will provide that decision to the Office of General Counsel, Legal Services Support Group, Naval Litigation Office. The CL will be advised of the matter.

SUBPART 33.90—PROCEDURES

33.9001 (NMCARS) Claims approval requirements.

(a) Proposed claim settlements and final decisions of the Contracting Officer shall be reviewed and approved—

(1) For claims less than \$1,000,000 by the CCO with CL field Counsel support.

(2) For claims greater than \$1,000,000 by ADC, I&L (Contracts) with CL support.

(b) For claims \$1,000,000 or greater, the CCO shall:

(1) Notify ADC, I&L (Contracts) within 10 calendar days of receipt of claim. Advise when ADC, I&L (Contracts) will receive the claim package and the Contracting Officer's projected final decision date. The projected final decision date shall include a sufficient amount of time for ADC, I&L (Contracts), CL, or higher level review and approval.

(2) Notify the contractor of the projected final decision date within 30 calendar days of claim receipt. The CCO shall notify the contractor, giving reasons for any changes to the original projected final decision date. The CCO shall provide copies of these letters to ADC, I&L (Contracts).

(3) Submit the claim package, including a draft final decision and the CL field Counsel legal memoranda, to ADC, I&L (Contracts).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 34—Major System Acquisition

34.003 (FAR/DFARS) Responsibilities.

(a) The MARCORSYSCOM is the contracting activity responsible for major system acquisition in the Marine Corps. As such, any needed procedure, guidance, or interpretation related to the acquisition of such systems, as defined in [FAR Part 2](#), is provided by MARCORSYSCOM.

(b) If there is any doubt as to whether a certain procurement falls under the major system acquisition responsibility of MARCORSYSCOM, consult with HQMC, I&L (Contracts) for resolution of the matter.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 35—Research and Development (R&D) Contracting

35.003 (FAR/DFARS) Policy.

(a) MARCORSYSCOM is the contracting activity responsible for R&D contracting within the Marine Corps. Any needed procedure, guidance, or interpretation related to the acquisition of R&D, as defined in [DFARS 235.001](#), is provided by MARCORSYSCOM.

(b) MARCORSYSCOM has been delegated authority to execute grants, cooperative agreements, and “other transactions” for the Marine Corps by ASN (RD&A).

(c) If there is any doubt as to whether a certain procurement falls under the R&D contracting responsibility of MARCORSYSCOM, consult with HQMC, I&L (Contracts) for resolution of the matter.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 36—Construction and Architect-Engineer Contracts

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 37—Service Contracting

SUBPART 37.1—SERVICE CONTRACTS—GENERAL

37.104 (FAR/DFARS) Personal service contracts.

The determination to acquire a personal services contract for expert and consultant services shall be reviewed by CL field Counsel and approved by a Contracting Officer one level higher than the executing Contracting Officer.

SUBPART 37.2—ADVISORY AND ASSISTANCE SERVICES

37.204 (FAR/NMCARS) Guidelines for determining availability of personnel.

ADC, I&L (Contracts) may determine that personnel with the required training and capabilities needed to conduct evaluations or analyses of any aspect of proposals for an initial contract award are not readily available within the agency or other federal agencies.

37.272 (DFARS) Requesting activity responsibilities.

Prior to contracting for advisory and assistance services or consulting services, the Contracting Officer shall ensure that the approval required by [DFARS 237.270\(c\)](#) has been obtained by the requesting activity.

SUBPART 37.5—MANAGEMENT OVERSIGHT OF SERVICE CONTRACTS

37.503-100 Procedures.

(a) In accordance with [ASN \(RD&A\) Memo, Subj: Acquisition of Services, dated 1 December 2006](#), MCFCS shall comply with the DON Management and Oversight Process for the Acquisition of Services (Revised) (MOPAS 2). The AS Content Requirements included in [CMPG, Section 1.4.3](#) shall be included in any AS for services.

(b) The MCFCS review and approval authorities and thresholds for services acquisitions are defined in the tables below. The rationale not to use PBSA shall be justified, documented, and approved in accordance with the tables below.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 37—Service Contracting

Approval of Services Acquisitions That Are Performance Based			
Total Planned Dollar Value, Including Options, Etc.	Requirements Review (Suggested Level at Requiring Activity)	AS Review	Decision Authority
>SAT to BCM Threshold	Requirements Originator	Contract Specialist and Contracting Officer	CCO. May re-delegate NLT one level above Contracting Officer
>BCM Threshold to \$250M	Level above Requirements Originator	CCO	ADC, I&L(Contracts) or Designee*
>\$250M to \$1B	O-6/GS-15	ADC, I&L(Contracts)	DASN(A&LM)
>\$1B or Special Interest Item	Flag/General Officer/SES/Commanding Officer	DASN(A&LM)	ASN(RD&A)
AT&L Special Interest Item on Case-by-Case Basis	Flag/General Officer/SES/Commanding Officer	ASN(RD&A)	USD(AT&L)
Approval of Services Acquisitions That Are NOT Performance Based			
Total Planned Dollar Value, Including Options, Etc.	Requirements Review (Suggested Level at Requiring Activity)	AS Review	Decision Authority
>SAT to \$1M	Requirements Originator	Contract Specialist and Contracting Officer	CCO. May re-delegate NLT one level above Contracting Officer
\$1M to \$5M	Level above Requirements Originator	CCO	ADC, I&L(Contracts) or Designee*
>\$5M to \$78.5M	O-6/GS-15	CCO	ADC, I&L(Contracts) or Designee**
>\$78.5M to \$500M	O-6/GS-15	ADC, I&L(Contracts)	DASN(A&LM)
>\$500M or Special Interest Item	Flag/General Officer/SES/Commanding Officer	ASN(A&LM)	ASN(RD&A)
AT&L Special Interest Item on Case-by-Case Basis	Flag/General Officer/SES/Commanding Officer	ASN(RD&A)	USD(AT&L)

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 37—Service Contracting

** ADC, I&L(Contracts) Deputy or Assistant Director up to \$5.5M*

*** Or as designated in writing up to \$10M to Requiring Activity Flag/General Officer/SES who is a member of the Acquisition Professional Community or Commanding Officer*

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 38—Federal Supply Schedule Contracting

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 39—Acquisition of Information Technology (IT)

39.001 (NMCARS) Applicability.

(a) In order to ensure effective implementation of the Navy-Marine Corps Intranet (NMCI) contract, all Contracting Officers shall comply with the guidance contained in [ASN \(RD&A\) Memorandum, dated October 8, 2004, Subj: Information Technology Related Procurements](#) which requires review of all prospective information technology procurements in excess of \$25,000 up to and including \$1,000,000 (over the life of the contract), including orders to be placed on existing contracts.

(b) In order to prepare for and ensure a smooth and efficient transition from the NMCI to the Next Generation Enterprise Network (NGEN), the DON will be pursuing Early Transition Activities (ETAs) at both the Enterprise and Service levels. As such, ASN (RD&A) memorandum, dated July 7, 2008, Subject: Information Technology-Related Procurements, authorizes a limited waiver to the ASN (RD&A) policy of October 8, 2004 for approved ETAs and NGEN transition activities.

SUBPART 39.1—GENERAL

39.101 Policy.

(a) All computer hardware and operating system software within the Marine Corps must be purchased from the acquisition vehicles listed on the MARCORSYSCOM website link for [MCHS](#) unless appropriately waived. Marine Corps-unique policies and waiver procedures relating to the procurement of IT are also posted on that website.

(b) If GSA is used as a servicing agency for procurement of IT, a D&F will be prepared in accordance with [MAPS 17.503\(a\)](#) using the format outlined in [CMPG, Section 1.5.1](#).

(c) Questions regarding the proper procurement authority procedures for IT acquisitions may be directed to HQMC, I&L (Contracts), Policy and Systems Branch.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 40—Reserved

RESERVED

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 41—Acquisition of Utility Services

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 42—Contract Administration

SUBPART 42.1—CONTRACT AUDIT SERVICES

42.191 (NMCARS) Audit resolution and disposition.

(a) Submit reports describing resolution of contract audit reports to HQMC I&L (Contracts), Policy & Systems Branch, via the appropriate CCO no later than six months after the corresponding audit report date.

(b) Submit semiannual contract audit follow-up status report required by [DoD Instruction 7640.02](#) to HQMC, I&L (Contracts), Policy & Systems Branch, via the appropriate CCO to arrive no later than ten calendar days after the end of the 31 March and 30 September reporting periods. Negative reports are required.

SUBPART 42.2—CONTRACT ADMINISTRATION SERVICES

42.202 Assignment of contract administration.

42.202-100 Contracting Officer's Representatives.

See [MAPS Part 1](#) for appointment and responsibilities of CORs and ordering officers.

SUBPART 42.15—CONTRACTOR PERFORMANCE INFORMATION

42.1503 (FAR/NMCARS) Procedures.

42.1503-100 Preparation and use of contractor performance evaluation reports.

(a) General. Collection of contractor performance information and submission of performance evaluation reports are required for acquisitions in specific business sectors (e.g., systems, services) that exceed the dollar threshold for that sector. The description of the business sectors and dollar thresholds are specified in the DoD Contractor Performance Assessment Reporting System (CPARS) Policy Guide included in the "Reference Material" section of the [CPARS website](#). Both requirements and contracting personnel have responsibilities under the CPARS procedure.

(b) Preparation and distribution of performance reports.

(1) Performance evaluation reports shall be prepared and submitted using the CPARS on-line database, following the procedures in the DoD CPARS Policy Guide. Access instructions and log-on procedures for the CPARS database can be obtained by contacting the HQMC, I&L (Contracts) CPARS Focal Point listed in [CMPG, Introduction Section VII](#).

(2) Include a copy of the report in the official contract file.

(3) For orders placed against contracts or ordering agreements (e.g., provisioned items orders, task orders, and orders under indefinite-delivery or indefinite-quantity type contracts), a Level III Contracting Officer should decide whether to assess the contractor's performance on an order-by-order or "total" contract/agreement basis. In either case, the assessment

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 42—Contract Administration

procedures to be followed should be specified in the basic contract or agreement, particularly when other buying activities may also place orders against those instruments.

(4) All contract actions and/or task/delivery orders that require performance reports shall be registered in CPARS no later than 30 days after award/execution of contract.

(5) All contracts and task/delivery orders terminated for default, regardless of dollar amount, shall be registered unless otherwise exempted.

(c) Below average performance evaluations. Any disagreements between parties shall be reviewed at a level above the Contracting Officer.

(d) Access to and use of performance reports.

(1) The Past Performance Information Retrieval System ([PPIRS](#)) is a web-enabled, Government-wide application that provides timely and pertinent contractor past performance information to the federal acquisition community for use in making source selection decisions.

(2) MCFCS contracting personnel shall create a user account for the PPIRS database at the [PPIRS website](#). Upon receipt of an account, users shall request membership in a group from the appropriate Group Owner or Manager. The HQMC, I&L (Contracts) PPIRS POC is listed in [CMPG, Introduction Section VII](#).

SUBPART 42.71—VOLUNTARY REFUNDS

42.7101 (DFARS) Solicited refunds.

The CCO is delegated authority to approve the solicitation of voluntary refunds. CL field Counsel will be consulted on this matter. This authority cannot be delegated.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 43—Contract Modifications

SUBPART 43.1—GENERAL

43.102 Policy.

43.102-100 Execution of contract modifications.

(a) Bilateral modifications shall not be signed by the Government until after signature by the contractor. If the contractor places conditions on the modification, a written reply shall immediately be sent to the contractor stating that the Government will not execute the modification as returned and will treat it as null and void.

(b) Any proposed modification that will result in an increase to the total contract price of greater than 50% of the initial contract award amount shall be approved by no lower than a Level III Contracting Officer to ensure the proposed modification will be within the scope of the original contract.

SUBPART 43.2—CHANGE ORDERS

43.201 (NMCARS) General.

(a) See [DFARS 217.74](#) and [MAPS 17.74](#) for policy and procedures for UCAs.

(b) A written determination shall be made by the CCO when the requirement for inclusion of an NTE price on change orders is waived.

43.201-100 Policy.

Negotiate in advance the cost and time associated with all contract changes except in unusual circumstances where it is not possible as a consequence of the character of the changed work.

43.204 Administration

To avoid subsequent controversies that may result from a supplemental agreement containing an equitable adjustment as the result of a change order, the contracting officer shall include a release statement similar to that found at [FAR 43.204\(c\)\(2\)](#), unless waived by the CCO.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 44—Subcontracting Policies and Procedures

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 45—Government Property

SUBPART 45.6—REPORTING, REDISTRIBUTION, AND DISPOSAL OF CONTRACTOR INVENTORY

45.609 (FAR/DFARS) Donations.

45.609-100 Marine Corps policies and procedures affecting Government personal property.

(a) [MCO P10150.1](#), “Garrison Property Policy Manual” prescribes the policy and procedures governing the acquisition, management, and control of garrison property used at Marine Corps bases, air stations, districts, and other independent commands. Garrison property is Government personal property used to support the operation of a Marine Corps installation and its tenant activities.

(b) The procedures of MCO P10150.1 and the Defense Reutilization and Marketing Service ([DRMS](#)) shall be followed in the disposal or donation of Marine Corps Government personal property.

SUBPART 45.70—APPOINTMENT OF PROPERTY ADMINISTRATORS AND PLANT CLEARANCE OFFICERS

45.7001 (DFARS) Selection, appointment, and termination.

(a) The Contracting Officer shall designate a property administrator for each contract involving Government property furnished to or acquired by the contractor.

(b) All property administrators shall attend the DoD training course for property administrators. Contracting Officers shall obtain assurance from customers that properly trained property administrators (if required) will be available prior to the issuance of any solicitation for customer requirements.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 46—Quality Assurance

SUBPART 46.7—WARRANTIES

46.7-100 Enforcement of warranties after final acceptance.

In those instances where the Government requires warranty work, the requiring activity shall notify the Contracting Officer, who will ensure that the contractor performs the warranty work in accordance with the terms of the contract.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 47—Transportation

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 48—Value Engineering

SUBPART 48.1—POLICIES AND PROCEDURES

48.103 (NMCARS) Processing value engineering change proposals (VECPs).

The CCO is responsible for ensuring that VECPs are processed and evaluated consistent with the requirements of [FAR Part 48](#).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 49—Termination of Contracts

SUBPART 49.1—GENERAL PRINCIPLES

49.101 Authorities and responsibilities.

(a) Before any Contracting Officer terminates a contract for convenience or default, written notification shall be made to ADC, I&L (Contracts).

(b) Contracting Officers shall not terminate for convenience or default any contract with a small business firm to whom a Certificate of Competency was issued, or to whom loans were made with the Small Business Administration's (SBA's) participation, without prior written approval of ADC, I&L (Contracts).

(c) Terminate contracts resulting from MIPRs in accordance with [DFARS PGI 208.7004-6](#) and [208.7004-7](#).

49.101-100 Reporting requirements.

A log shall be kept of all contracts terminated. These termination actions shall be reported annually as outlined in [Appendix B](#) to HQMC, I&L (Contracts), Policy & Systems Branch. Each report shall be submitted in the format outlined in [Appendix H](#). Negative replies are required. For termination for default, additional notification requirements are outlined in MAPS 49.403.

49.107 (FAR) Audit of prime contract settlement proposals and subcontract settlements.

Within five calendar days after receipt from the contractor, send all settlement proposals electronically to the responsible audit office, including inventory and accounting information and related documents.

SUBPART 49.3—ADDITIONAL PRINCIPLES FOR COST-REIMBURSEMENT CONTRACTS TERMINATED FOR CONVENIENCE

49.301 General.

Contracting Officers should not terminate any contract for convenience if the contractor is in default and the Government has a legal right to terminate for default, even if the Government's requirements for performance no longer exist. This prohibition does not preclude a no-cost termination settlement agreement as provided for at [FAR 49.402-4\(c\)](#).

SUBPART 49.4—TERMINATION FOR DEFAULT

49.470 (NMCARS) Termination for Default Notification

Upon termination for default of any contract, submit a notification to HQMC, I&L (Contracts), Policy & Systems Branch that contains the information outlined in NMCARS Annex 5 immediately following the termination modification.

SUBPART 49.70—SPECIAL TERMINATION REQUIREMENTS

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 49—Termination of Contracts

49.7001 (DFARS) Congressional notification on significant contract terminations.

The Contracting Officer shall send the clearance request to release information about a proposed termination to the Chief of Legislative Affairs (OLA-N) via DC, I&L (Contracts).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 50—Extraordinary Contractual Actions

SUBPART 50.1—GENERAL

50.105 (DFARS/NMCARS) Records.

The Contracting Officer is responsible for preparing, submitting, and receiving all records unless otherwise directed. All records forwarded to DASN (A&LM) shall be sent via the cognizant CCO, CL field Counsel, and ADC, I&L (Contracts).

SUBPART 50.2—DELEGATION OF AND LIMITATIONS ON EXERCISE OF AUTHORITY

50.201 Delegation of authority.

50.201-70 (NMCARS) Delegations.

(a) ADC, I&L (Contracts) may exercise and re-delegate the authority contained in the Act and Executive Order and as delegated by [DFARS 250.102-1-70\(b\)](#) and [NMCARS 5250.102-1-70](#).

(b) ADC, I&L (Contracts) may deny any request, regardless of dollar value.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 51—Use of Government Sources by Contractors

SUBPART 51.1—CONTRACTOR USE OF GOVERNMENT SUPPLY SOURCES

51.101 (FAR) Policy.

51.101-100 Marine Corps depots.

Marine Corps depots may seek delegations of authority to sell goods and services to others (10 U.S.C. 2474, 2563) and act as a subcontractor on DoD contracts (10 U.S.C. 2208). This delegation of authority would be from DASN (A&LM). All such requests shall be processed through ADC, I&L (Contracts). Cognizant contracting personnel should be involved in the planning, execution, and administration of transactions pursuant to the aforementioned authorities.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 52—Solicitation Provisions and Contract Clauses

SUBPART 52.2—TEXTS OF PROVISIONS AND CLAUSES

52.200 Scope of subpart.

This subpart sets forth the texts of all Marine Corps standard provisions and clauses.

52.232.9650 USMC Wide Area WorkFlow Implementation. As prescribed in [MAPS 32.7003\(b\)](#), insert the following clause:

USMC WIDE AREA WORKFLOW IMPLEMENTATION (JUL 08)

To implement [DFARS 252.232-7003](#), "ELECTRONIC SUBMISSION OF PAYMENT REQUEST (JAN 2004)", the United States Marine Corps (USMC) utilizes Wide Area WorkFlow-Receipt and Acceptance (WAWF-RA) to electronically process vendor requests for payment. This application allows DoD vendors to submit and track Invoices and Receipt/Acceptance documents electronically.

The contractor is required to utilize this system when processing invoices and receiving reports under this contract/order, unless the provision at [DFARS 252.232-7003\(c\)](#) applies. The contractor shall (i) ensure an Electronic Business Point of Contact is designated in Central Contractor Registration at <http://www.ccr.gov> and (ii) register to use WAWF-RA at the <https://wawf.eb.mil> site, within ten (10) calendar days after award of this contract or modification. Step by step procedures to register are available at the <https://wawf.eb.mil> site.

The USMC WAWF-RA point of contact (POC) for this contract is (Contracting Office fills in their office POC) and can be reached at (fill in telephone number and email address).

The contractor is directed to use the (Contracting Office should fill in "Combo," "2-in-1," or "Cost Voucher") format when processing invoices and receiving reports (Choose the appropriate format based on the following: "Combo" is used for goods or any combination of goods and services. "2-in-1" is used for services only contracts. "Cost Voucher" is used for all Cost-type contracts. In most cases these formats are the appropriate choices and the USMC recommended method. However, particular situations may require different WAWF-RA document types. When this occurs, the Contracting Officer should replace "Combo," "2-in-1," or "Cost Voucher" with the correct format in the designated space).

When entering the invoice into WAWF-RA, the contractor shall fill in the following DoDAAC fields or DoDAAC extensions:

(Contracting Office should fill in the following table at time of award to assist contractor with entering data in WAWF-RA)

Contract Number	
Delivery Order	
Cage Code/Ext	
Pay DoDAAC	
Issue Date	

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 52—Solicitation Provisions and Contract Clauses

Issue By DoDAAC	
Admin By DoDAAC	
Ship To Code/Ext	(Insert WAWF Acceptor DoDAAC)
Ship From Code/Ext	
LPO DoDAAC	“Leave Blank” (Instruct the contractor to leave blank unless Navy Pay Office. If so, insert correct LPO DoDAAC)
Acceptor Email Address	
Inspect By DoDAAC/Ext	“Leave Blank” (Instruct the contractor to leave blank unless inspected at Source-then the source inspection DoDAAC should be entered which is normally a DCMA DoDAAC)

When preparing invoices the “PrePop” option should always be used when available. If this is an initial invoice, the “PrePop” option will not be available and the contractor must enter the fields found in the table above. When “PrePop” option is used, the contractor shall verify those DoDAACs automatically entered by the WAWF-RA system to ensure they match the above information. If these DoDAACs do not match, then the contractor shall fill in the correct the field(s) and notify the Contracting Officer that a discrepancy exists.

For assistance with invoicing, refer to the WAWF Software User Manual which can be accessed by logging into WAWF, then scrolling on the left side of the screen, and selecting “Software User Manual.” Once opened, from the pop-up window, select “invoice” for a general overview on invoicing procedures. Additional guidance on creating a Combo or a 2n1 invoice is also located in the Software User Manual.

Before closing out of an invoice session in WAWF-RA, but after submitting the document or documents, the contractor will be prompted to send additional email notifications. Contractor shall click on “Send More Email Notification” on the page that appears. Add the acceptor’s/receiver’s email address (Note this address is their work email address not their WAWF-RA organizational email address) in the first email address block and add any other additional email addresses desired in the following blocks. This additional notification to the Government is important to ensure the acceptor/receiver is aware that the invoice documents have been submitted into the WAWF-RA system.

NOTE: The POCs identified above are for WAWF-RA issues only. Any other contracting questions/problems should be addressed to the Contracting Officer or other person identified in the contract to who questions are to be addressed.

(End of clause)

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 52—Solicitation Provisions and Contract Clauses

52.232.9651 USMC Active Radio Frequency Identification (RFID) Implementation. As prescribed in [MAPS 11.275-100](#), insert the following clause:

USMC ACTIVE RADIO FREQUENCY IDENTIFICATION (RFID) IMPLEMENTATION (MAY 2008)

This clause implements the Department of Defense (DoD) requirement for Active RFID within the United States Marine Corps (USMC).

(a) *Definitions.* As used in this clause—

Active RFID Tag: As used in DoD, Active RFID tags are data rich and allow low-level radio frequency signals to be received by the tag, and the tag can generate high-level signals back to the reader/interrogator. Active RFID tags can hold relatively large amounts of data, are continuously powered, and are normally used when a longer tag read distance is desired.

Content Level Detail: Content level detail includes those data elements that describe the asset plus the data elements necessary to minimally identify each level of a complete shipment entity. For the list of shipment Content Level Detail data elements, see Attachment 1 to Under Secretary of Defense (Acquisition, Technology and Logistics) RFID Policy memorandum dated 30 July 2004 accessible at <http://www.acq.osd.mil/log/rfid/Policy/RFID%20Policy%2007-30-2004.pdf>.

(1) Asset Level Detail includes the minimum data elements required to describe the physical characteristics of a single asset, and the characteristics that identify that asset.

(2) Content Level Detail Visibility for Each Shipment Unit includes the minimum data elements necessary to provide content level visibility for each shipment unit, including the description of the shipment and the shipment movement characteristics. The most basic transportation entity is a single box or unpacked item governed by a shipment unit identifier.

Defense Transportation System (DTS): That portion of the worldwide transportation infrastructure that supports DoD transportation needs in peace and war. The DTS consists of two major elements: military (organic) and commercial resources. These resources include aircraft, assets, services, and systems organic to, contracted for, or controlled by the DoD. The DTS infrastructure, including ports, airlift, sealift, railway, highway, in-transit visibility, information management systems, customs, and traffic management that the DoD maintains and exercises in peacetime, is a vital element of the DoD capability to project power worldwide. It provides for responsive force projection and a seamless transition between peacetime and wartime operations.

Layer 4 freight container: An article of transport equipment (e.g., 20 or 40 foot sea vans, large engine containers and 463L Pallets with nets) that is:

(1) Of a permanent character and accordingly strong enough to be suitable for repeated use;

(2) Specially designed to facilitate the carriage of goods by one or more modes of transport, without intermediate reloading;

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 52—Solicitation Provisions and Contract Clauses

(3) Fitted with devices permitting its ready handling, particularly its transfer from one mode of transport to another;

(4) So designed as to be easy to fill and empty; and

(5) Having an internal volume of 1 cubic meter (m3) or more.

Major Organizational Equipment: Major end items—a final combination of end products that is ready for its intended use; that is, launchers, tanks, mobile machine shop, and vehicles; etc.

(b) The Contractor, in accordance with [DFARS 247.305-10](#) and as published in the Defense Transportation Regulation (DTR) 4500.9-R, is required to attach an Active RFID tag when shipping consolidated sustainment shipments (Layer 4 freight containers) and/or major organizational equipment through the Defense Transportation System (DTS), destined to locations Outside the Continental United States (OCONUS).

(c) When the conditions in paragraph (b) necessitate an Active RFID tag, Contractors possessing Active RFID tag-writing capabilities that meet DoD specifications shall “write” the tag and affix it to the shipment in accordance with established procedures.

(d) When the conditions in paragraph (b) necessitate an Active RFID tag, Contractors that do not possess Active RFID tag writing systems/equipment are required to provide Content Level Detail and coordinating information not later than 15 business days prior to shipment to the Marine Corps Logistics Command (MARCORLOGCOM) Distribution Management Center Enterprise Distribution Department (DMC EDD), Albany, GA in order for the MARCORLOGCOM DMC EDD to prepare and forward the tag in advance of movement. The coordinating information will consist of the applicable contract number, point of contact (POC), email address for the POC, telephone number for the POC, and mailing address to which the tag should be sent. The required information shall be submitted via the following automated website link:

http://www.logcom.usmc.mil/vendor_dmc_interface/Results/editor/submission_form.asp

In the event the website is temporarily unavailable, Contractors may contact MARCORLOGCOM via email to smblogcomdmc_edd@usmc.mil. In the event that a Contractor does not have Internet access, a request for Active RFID tag assistance may be submitted via facsimile transmission to (229) 639-7583. Email or facsimile transmissions shall include a subject line in the following format: Active RFID Tag Assistance Request – contract number (show applicable number) – contractor (show name of contractor) – date of request (use day month year), e.g., Subj: Active RFID Tag Assistance Request – Contract M67854-08-C-XXXX – XYZ Corp – 25 March 2008. Coordinating information as outlined in this paragraph should be included in the first part of the body of the email or facsimile transmission. No later than 5 business days after receipt of this information, the MARCORLOGCOM DMC EDD will send the required Active RFID tag(s) to the Contractor with instructions on how to affix the tag(s) to the shipment. Telephone contact may be made with the MARCORLOGCOM DMC EDD by calling 1-800-252-3282 and requesting Active RFID Tag Assistance.

(End of clause)

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 53—Forms

SUBPART 53.2—PRESCRIPTION OF FORMS

53.200 Scope of subpart.

The FAR/DFARS/NMCARS and MAPS prescribe forms for use in acquisition. Copies of Standard, Optional, and DoD forms may be obtained from the following websites:

[GSA Forms Library](#)

[DoD Forms Management Program](#)

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix A—Marine Corps Contracting Office Areas of Responsibility (AORs)

ACTIVITY	AREA OF RESPONSIBILITY	PRIMARY SUPPORTING COUNSEL	COMMENTS
MARINE CORPS RCO FAR EAST MCB CAMP SMEDLEY D. BUTLER OKINAWA JA	(1) MCB CAMP SMEDLEY D. BUTLER (2) PPMAP FOR MCAS IWAKUNI, CKO 3D MLG (WHILE IN GARRISON)	PACIFIC AREA COUNSEL'S OFFICE (PACO) MCB CAMP SMEDLEY D. BUTLER	
MARINE CORPS RCO SOUTHEAST MCB CAMP LEJEUNE CAMP LEJEUNE NC	(1) MCB CAMP LEJEUNE (2) PPMAP FOR CKO 2D MLG (WHILE IN GARRISON) (3) ALL MARINE CORPS UNITS NOT OTHERWISE IDENTIFIED IN THE STATES OF AL, FL, GA, NC, SC	EASTERN AREA COUNSEL'S OFFICE (EACO) MCB CAMP LEJEUNE	
MARINE CORPS RCO SOUTHWEST MCB CAMP PENDLETON OCEANSIDE CA	(1) MCB CAMP PENDLETON (2) PPMAP FOR MCAS YUMA, MCAS MIRAMAR, MCLB BARSTOW, MARINE CORPS DISTRICT HEADQUARTERS (8TH, 9TH, 12TH), ALL RECRUITING STATIONS WEST OF THE MISSISSIPPI RIVER, MCMWTC BRIDGEPORT, CKO 1ST MLG (WHILE IN GARRISON) (3) ALL MARINE CORPS UNITS NOT OTHERWISE IDENTIFIED IN THE STATES OF AK, AZ, CA, CO, ID, MT, ND, NE, NM, NV, OR, SD, UT, WA, WY	WESTERN AREA COUNSEL'S OFFICE (WACO) MCB CAMP PENDLETON	
MARINE CORPS RCO NORTHEAST MCB QUANTICO QUANTICO VA	(1) MCCDC/MCB QUANTICO (2) PPMAP FOR MARFORLANT NORFOLK (3) ALL HQMC, MARINE BARRACKS 8TH & I, HQS BATTALION HENDERSON HALL, ALL MARINE CORPS UNITS NOT OTHERWISE IDENTIFIED IN DC AND IN THE STATES OF VA, PA, MA, WV, NJ, NY, CT, NH, MD, ME, DE, RI, VT	MCCDC/MCB QUANTICO COUNSEL	RCO NORTHEAST WILL MANAGE THE GCPC FOR CBIRF 4TH MEB

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix A—Marine Corps Contracting Office Areas of Responsibility (AORs)

ACTIVITY	AREA OF RESPONSIBILITY	PRIMARY SUPPORTING COUNSEL	COMMENTS
MARINE CORPS RCO MARINE CORPS RECRUIT DEPOT PARRIS ISLAND EASTERN RECRUITING REGION (ERR) PARRIS ISLAND SC	(1) MCRD ERR PARRIS ISLAND (2) MARINE CORPS DISTRICT HEADQUARTERS (1ST, 4TH, 6TH), ALL RECRUITING STATIONS EAST OF THE MISSISSIPPI RIVER	EACO	
MARINE CORPS RCO MIDWEST MARINE CORPS MOBILIZATION COMMAND KANSAS CITY KANSAS CITY MO	(1) KANSAS CITY METRO AREA (2) ALL MARINE CORPS UNITS NOT OTHERWISE IDENTIFIED IN THE STATES OF AR, IA, IL, IN, KS, KY, LA, MI, MN, MO, MS, OH, OK, TN, TX, WI	DFAS KANSAS CITY COUNSEL PER MOA	
MARINE CORPS RCO MARINE FORCES RESERVE NEW ORLEANS LA	(1) ALL MARINE RESERVE FORCES (2) ALL SUBORDINATE RESERVE UNITS OF COMMARFORRES (I.E., I&I'S, RESERVE SQUADRONS)	COMMARFORRES COUNSEL, NEW ORLEANS	
MARINE CORPS RCO MARINE CORPS AIR BASES EAST MCAS CHERRY POINT CHERRY POINT NC	(1) MCAS CHERRY POINT	EACO	
MARINE CORPS RCO MARINE CORPS BASE HAWAII Kaneohe Bay HI	(1) MCBH KANEOHE BAY (2) ALL MARINE CORPS UNITS NOT OTHERWISE IDENTIFIED IN THE STATE OF HI AND PACIFIC ISLANDS	WACO	
MARINE CORPS RCO MAGTF TC TWENTYNINE PALMS TWENTYNINE PALMS CA	(1) MAGTF TC TWENTYNINE PALMS	WACO	

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix A—Marine Corps Contracting Office Areas of Responsibility (AORs)

ACTIVITY	AREA OF RESPONSIBILITY	PRIMARY SUPPORTING COUNSEL	COMMENTS
MARINE CORPS CONTRACTING OFFICE MARINE CORPS AIR STATION MIRAMAR SAN DIEGO CA	(1) MCAS MIRAMAR	WACO	
MARINE CORPS CONTRACTING OFFICE MARINE CORPS AIR STATION YUMA YUMA AZ	(1) MCAS YUMA	WACO	
MARINE CORPS CONTRACTING OFFICE MARINE CORPS AIR STATION IWAKUNI IWAKUNI JA	(1) MCAS IWAKUNI	PACO	
MARINE CORPS CONTRACTING OFFICE CAMP H.M. SMITH HI	(1) CAMP H.M. SMITH	WACO	
MARINE CORPS CONTRACTING OFFICE MARINE CORPS AIR STATION BEAUFORT BEAUFORT SC	(1) MCAS BEAUFORT	EACO	
MARINE CORPS CONTRACTING OFFICE CBIRF, 4TH MEB INDIAN HEAD MD	(1) 4TH MEB	MCCDC/MCB QUANTICO COUNSEL (IF MARCORSYSCOM OR MCLB ALBANY PROVIDE THE CONTRACTING SUPPORT, THE APPROPRIATE CL FIELD COUNSEL WILL PROVIDE LEGAL SUPPORT)	
MARINE CORPS CONTRACTING OFFICE COMMANDER US MARINE FORCES ATLANTIC NORFOLK VA	(1) NORFOLK/TIDEWATER BASIN AREA	EACO	

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix A—Marine Corps Contracting Office Areas of Responsibility (AORs)

ACTIVITY	AREA OF RESPONSIBILITY	PRIMARY SUPPORTING COUNSEL	COMMENTS
MARINE CORPS CONTRACTING OFFICE HQ FMF EUROPE	(1) FMF EUROPE	NRCC NAPLES COUNSEL	
CONTRACTING OFFICE MARINE CORPS MOUNTAIN WARFARE TRAINING CENTER (MCMWTC) BRIDGEPORT BRIDGEPORT CA	(1) MCMWTC BRIDGEPORT	WACO	
HQ US MARINE CORPS FORCES SOUTH MIAMI FL	(1) HQ MARINE FORCES SOUTH	EACO	
CONTINGENCY CONTRACTING OFFICE 1ST MLG OCEANSIDE CA	(1) 1ST MLG (WHEN DEPLOYED)	WACO	UNLIMITED WARRANT ISSUED BY HQMC EFFECTIVE WHILE DEPLOYED ONLY
CONTINGENCY CONTRACTING OFFICE 2D MLG CAMP LEJEUNE NC	(1) 2D MLG (WHEN DEPLOYED) (2) CBIRF 4TH MEB (WHEN DEPLOYED)	EACO	UNLIMITED WARRANT ISSUED BY HQMC EFFECTIVE WHILE DEPLOYED ONLY
CONTINGENCY CONTRACTING OFFICE 3D MLG OKINAWA JA	(1) 3D MLG (WHEN DEPLOYED) (2) III MEF (3) MARFORPAC	PACO	UNLIMITED WARRANT ISSUED BY HQMC EFFECTIVE WHILE DEPLOYED ONLY
CONTRACTING OFFICE CG II MEF CAMP LEJEUNE NC	(1) II MEF	EACO	
MCLC MARINE CORPS LOGISTICS BASE ALBANY GA	(1) MCLB ALBANY (2) PPMAP & ALL WARRANTS FOR MCLB ALBANY, BIC, CBIRF 4TH MEB (WHILE IN GARRISON)	MCLB ALBANY COUNSEL	

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix A—Marine Corps Contracting Office Areas of Responsibility (AORs)

ACTIVITY	AREA OF RESPONSIBILITY	PRIMARY SUPPORTING COUNSEL	COMMENTS
MCLC MARINE CORPS LOGISTICS BASE BARSTOW CA	(1) MCLB BARSTOW	MCLB BARSTOW COUNSEL	SEE ALSO MOU M00681- 04149-088 DATED 20 JUNE 2004
MCLC BLOUNT ISLAND COMMAND JACKSONVILLE FL	(1) BIC	MCLB ALBANY COUNSEL	
MARCORSYSCOM QUANTICO VA	(1) MARCORSYSCOM (2) PPMAP & WARRANTS FOR MCTSSA	MARCORSYSCOM COUNSEL, QUANTICO	
MARCORSYSCOM MARINE CORPS TACTICAL SYSTEMS SUPPORT ACTIVITY (MCTSSA) CAMP PENDLETON CA	(1) MCTSSA CAMP PENDLETON	MCTSSA COUNSEL, CAMP PENDLETON	

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix B—Required Reports

The following is a matrix of required reports to be submitted by MCFCS offices. Requirements for negative reports are as noted in the referenced MAPS cite. Unless otherwise noted, all reports shall be submitted to HQMC, I&L (Contracts), Policy & Systems Branch.

REPORT TITLE	REQUIRED BY	REPORT FORMAT	DUE DATE
Ratification Report	NMCARS 5201.602-3 (S-90)(h); MAPS 1.602-3(f)	Appendix C	10 Jan, 10 Apr, 10 Jul, 10 Oct of each year
Report to Congress on Foreign Sales of Significant Military Equipment Manufactured in the United States	MAPS 25.7300-100	Provided with request	1 February of each year
Report on Use of Award Fee & Incentive Fee Contracts	MAPS 16.470-100	Provided with request	1 March & 1 September of each year
DCAA Contract Audit Follow Up (CAFU) Status Report	NMCARS 5242.191(b); MAPS 42.191(b)	DoD Directive 7640.2	30 March & 30 September of each year
Report on Use of IUID Clause	MAPS 11.274	Provided with request	1 June & 1 Dec of each year
Agency Protest Report	MAPS 33.103(f)	Appendix F	30 October of each year
GAO Protest Report	MAPS 33.104(d)	Appendix G	30 October of each year
Report of Termination Actions (T4Cause, T4C, & T4D)	MAPS 12.403(b); MAPS 49.101-100	Appendix H	30 October of each year
Annual Truth in Negotiations Waivers, Cost Accounting Standards Waivers, and Commercial Item Exception Reports	MAPS 15.403-1	PGI 215.403-1(c)(3)(B); PGI 215.403-1(c)(4)(B); NMCARS 5215.403-1	31 October of each year
Report of Economy Act Orders	MAPS 17.503(f)	CMPG 1.5.1	15 November of each year
DCAA Contract Audit Resolution & Disposition Report	NMCARS 5242.191(a); MAPS 42.191(a)	DoD Directive 7640.2	Upon audit resolution (no later than six months after date of audit report)
Report on In Process Waivers for TINA	MAPS 15.403-100	Provided with request	Upon request
Notification of Termination for Cause	NMCARS 5212.403; MAPS 12.403	NMCARS Annex 5	Immediately upon execution of termination modification
Notification of Termination for Default	NMCARS 5249.470; MAPS 49.470	NMCARS Annex 5	Immediately upon execution of termination modification

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix C —Ratification Report

TEMPLATE

*Complete the following template and provide to HQMC, I&L Contracts, Policy & Systems Branch, as outlined in [MAPS 1.602-3\(f\)](#)
Remove all instructions (red language) prior to completing report.*

Insert Name of Activity, e.g., "RCO Cherry Point"
REPORT OF RATIFICATIONS PENDING & COMPLETED
FOR THE PERIOD OF *(Insert Period of Report)*

KT Office UIC	Date MCFCS Office Rec'd	Date Ratification D&F Approved*	Ratification \$ Amount	Name of Contracting Officer Recommending Ratification	Name of Ratifying Official	Name of Contractor	Description of Supplies/Service Bought
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**If D&F for ratification not yet approved mark this column as pending. For all approved D&Fs listed, a copy of the approved D&F must be submitted with the report.*

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix D—Acronyms

Acronyms. The following is a list of acronyms used in the MAPS:

<i>Acronym</i>	<i>What the acronym means</i>
AAFES	Army Air Force Exchange Service
ADC, I&L (Contracts)	Assistant Deputy Commandant, Installations & Logistics (Contracts)
AOR	Area of Responsibility
AP	Acquisition Plan
ARO	Accounts Receivable Office
AS	Acquisition Strategy
ASN	Assistant Secretary of the Navy
ASN (RD&A)	Assistant Secretary of the Navy (Research, Development and Acquisition)
AT&L	Acquisition, Technology and Logistics
ATO	Agency Tender Official
BCM	Business Clearance Memorandum
BOA	Basic Ordering Agreement
BPA	Blanket Purchase Agreement
CCO	Chief of the Contracting Office
CFR	Code of Federal Regulations
CG	Commanding General
CKO	Contingency Contracting Officer
CL	Office of Counsel for the Commandant
CLIN	Contract Line Item Number
CLP	Continuous Learning Points
CMPG	Contract Management Process Guide
CO	Commanding Officer
COR	Contracting Officer's Representative
CPARS	Contractor Performance Assessment Reporting System
DASN (A&LM)	Deputy Assistant Secretary of the Navy for Acquisition and Logistics Management
DAWIA	Defense Acquisition Workforce Improvement Act
DC, I&L	Deputy Commandant, Installations and Logistics
D&F	Determination and Findings
DFARS	Defense Federal Acquisition Regulation Supplement
DLA	Defense Logistics Agency
DO	Delivery Order
DOC	Department of Commerce
DoD	Department of Defense
DODD	Department of Defense Directive
DoD EMALL	Department of Defense Electronic Mail
DON	Department of the Navy
DPAS	Defense Priorities and Allocations System
DRMS	Defense Reutilization and Marketing Service
ERR	Eastern Recruiting Region
FAR	Federal Acquisition Regulation
FOIA	Freedom of Information Act

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix D—Acronyms

FSS	Federal Supply Schedule
GAO	Government Accountability Office
GCPC	Government-wide Commercial Purchase Card
GSA	General Services Administration
HCA	Head of the Contracting Activity
HQMC	Headquarters, Marine Corps
HQMC, I&L (Contracts)	Headquarters, Marine Corps , Installations and Logistics (Contracts)
IDTC	Indefinite Delivery Type Contract
IT	Information Technology
JER	Joint Ethics Regulation
LPC	HQMC, I&L, Logistics Capabilities Center (CMC (LPC))
MAPS	Marine Corps Acquisition Procedures Supplement
MARTD	Marine Air Reserve Training Detachment
MARCORSYSCOM	Marine Corps Systems Command
MCFCS	Marine Corps Field Contracting System
MCHS	Marine Corps Common Hardware Suite
MCLC	Marine Corps Logistics Command
MCO	Marine Corps Order
MCX	Marine Corps Exchange
MEO	Most Efficient Organization
MIPR	Military Interdepartmental Purchase Request
MOPAS 2	DON Management and Oversight Process for the Acquisition of Services (Revised)
NAFI	Nonappropriated Fund Instrumentality
NAVFAC	Naval Facilities Engineering Command
NAVSUP	Naval Supply Systems Command
NEX	Navy Exchange
NMCARS	Navy Marine Corps Acquisition Regulation Supplement
NMCI	Navy-Marine Corps Intranet
NTE	Not-To-Exceed
ODS	Ozone-Depleting Substances
OIC	Officer in Charge
OMB	Office of Management and Budget
OSD	Office of the Secretary of Defense
PBSA	Performance-Based Service Acquisition
PGI	Procedures, Guidance, and Information
POC	Point of Contact
PPIRS	Past Performance Information Retrieval System
PPMAP	Procurement Performance Management Assessment Program
PR	Purchase Request
PWS	Performance Work Statement
QA	Quality Assurance
QASP	Quality Assurance Surveillance Plan
RCO	Regional Contracting Office
R&D	Research and Development
RFP	Request for Proposal
SAP	Simplified Acquisition Procedures

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix D—Acronyms

SAT	Simplified Acquisition Threshold
SBA	Small Business Administration
SES	Senior Executive Service
SF	Standard Form
SSA	Source Selection Authority
SSAC	Source Selection Advisory Council
SSEB	Source Selection Evaluation Board
SSP	Source Selection Plan
TO	Task Order
UCA	Undefinitized Contract Action
UMMIPS	Uniform Materiel Movement and Issue Priority System
USD	Under Secretary of Defense
USD(AT&L)	Under Secretary of Defense for Acquisition, Technology and Logistics
USMC	United States Marine Corps
VECP	Value Engineering Change Proposal
WAWF	Wide Area WorkFlow
WAWF-RA	Wide Area WorkFlow – Receipt and Acceptance

RESERVED

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix F—Agency Protest Report

TEMPLATE

*Complete the following template and provide to
HQMC, I&L Contracts, Policy & Systems Branch, as outlined in [MAPS 33.103](#).
Remove all instructions (red language) prior to completing report.*

Insert Name of Activity, e.g., "RCO Cherry Point"
Agency Protest Report - 1 October – 30 September 20XX

Name of Protestor	Name of Contracting Officer	Date Received	Date Resolved	Solicitation # and Description of Requirement	Basis for Protest	Protest Denied or Sustained (if sustained, indicate remedy provided)	Check this Block if No Agency Protests Were Received this Fiscal Year

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix G—GAO Protest Report

TEMPLATE

*Complete the following template and provide to
HQMC, I&L Contracts, Policy & Systems Branch, as outlined in [MAPS 33.104](#).
Remove all instructions (red language) prior to completing report.*

Insert Name of Activity, e.g., "RCO Cherry Point"
GAO Protest Report – 1 October – 30 September 20XX

Name of Protestor	Name of Contracting Officer	Date Received	Date Resolved	Solicitation # and Description of Requirement	Basis for Protest	Protest Denied or Sustained (if sustained, indicate remedy provided)	Check this Block if <u>No</u> GAO Protests Were Received this Fiscal Year

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix H—Termination Report

TEMPLATE

*Complete the following template and provide to
HQMC, I&L Contracts, Policy & Systems Branch, as outlined in [MAPS 49.101-100](#)
Remove all instructions (red language) prior to completing report.*

Insert Name of Activity, e.g., "RCO Cherry Point"

REPORT OF CONTRACT TERMINATIONS - 1 October – 30 September 20XX

Contract # and Date of Award	Company Name	Name of Contracting Officer	Nature of Contract or End Items	Type of Contract (e.g., firm-fixed price, cost-reimbursement)	Contract Price	Type of Termination (cause, convenience, or default) and Reason for Termination	Check this Block if <u>No</u> Contracts Were Terminated this Fiscal Year

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

SUMMARY OF SIGNIFICANT CHANGES MARINE CORPS ACQUISITION PROCEDURE SUPPLEMENT (MAPS) CHANGE 1 (31 March 2009)

The following changes are hereby incorporated into the January 2009 Edition of the MAPS:

1. Global changes.

a. A number of changes are attributable to the hyperlinking of references to regulations, to references of other resource documents, and to references within a paragraph to another area of the MAPS. No additional identification of changes resulting from the hyperlinking of references is identified below unless it is combined with other significant change(s).

b. Throughout the document, the word “re delegated” is hyphenated to be “re-delegated.”

2. **1.108 (NMCARS) FAR conventions** is revised as follows to reflect that authorities assigned to the HCA are delegated to the ADC, I&L (Contracts), and any other authorities may be delegated or re-delegated:

1.108 (NMCARS) FAR conventions.

Delegation of authority. Within this supplement, any authorities assigned to the HCA are delegated to the Assistant Deputy Commandant, Installations & Logistics (Contracts) (ADC, I&L (Contracts)), unless otherwise restricted, and may not be re-delegated unless specifically authorized.

3. **1.304-100 (NMCARS) Control of HQMC baseline clauses** is revised as follows to correct the title of ADC, I&L (Contracts), and reference MAPS Part 52 for the approved provisions and clauses:

1.304-100 (NMCARS) Control of HQMC baseline clauses.

Only ADC, I&L (Contracts) approved provisions and clauses, included herein under [MAPS Part 52](#), shall be used in solicitations and contracts. No other provisions or clauses, other than those prescribed by the FAR, DFARS, NMCARS, or MAPS, may be used without obtaining approval. For approval to use other than FAR, DFARS, NMCARS, or MAPS provisions and clauses, submit proposed language to HQMC, I&L(Contracts), Policy and Systems Branch.

4. **1.601 (NMCARS) General** is revised as follows to reflect the revised authorities outlined in MAPS 1.108.

1.601 (NMCARS) General.

(a) HQMC contracting authority originates from the Assistant Secretary of the Navy (Research, Development and Acquisition) (ASN (RD&A)) and is delegated to the DC, I&L at

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

HQMC. With the exception of those actions reserved specifically for Head of the Contracting Activity (HCA) approval, the DC, I&L has delegated full authority to the Assistant Deputy Commandant, Installation & Logistics (Contracts) (ADC, I&L (Contracts)). This authority is cannot be re-delegated unless specifically authorized.

5. **1.602-1-100 Legal review** is revised to reflect the following changes:

- a. Paragraph (a) is revised to change “field offices” to “CL field Counsel.”
- b. Paragraph (b)(7) is revised to add a reference and link to FAR Part 6.
- c. Paragraph (d) is revised to change the phrase “the following documents” to “any action,” and accordingly remove the list of contract documents in bullets 1 through 7.

6. **1.602-2 (DFARS) Authorized representatives of the Contracting Officer** is revised to reflect the following changes:

- a. Paragraph (a)(2) is revised to add a requirement for providing a copy of the COR appointment letter to the contractor, and add letter numbering to the paragraphs.
- b. Paragraph (a)(3) is revised to provide clarification that COR designees must have the requisite technical experience to perform the necessary COR functions.
- c. Paragraph (b)(2) is revised to remove the sentence “The activity to which the ordering officer is assigned need not have its own contracting authority.”
- d. Paragraph (b)(4) is revised to reflect that the authority to modify any task/delivery order awarded must be specifically delegated in the ordering officer appointment letter, and remove the dollar threshold and ordering time frame for oral orders.
- e. Paragraph (5) is revised to remove the requirement for Contracting Officers to evaluate and document the performance of the ordering officer.

7. **1.602-3 Ratification of unauthorized commitments** is revised to reflect the following changes:

- a. Paragraph (a) is revised to remove Contingency Contracting Officers as one of the officials for ratifications less than or equal to \$25,000.
- b. Paragraphs (c)(1)(i) is revised to remove the description of the statement and add a reference to [NMCARS 5201.602-3\(S-90\)\(a\)\(1\)](#).
- c. Paragraph (c)(1)(ii) is revised to incorporate a reference to [NMCARS 5201.602-3 \(S-90\)\(a\)\(2\)](#).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

d. Paragraph (c)(2) is revised to remove subparagraphs (i) through (iii) and instead specify that the endorsement should be prepared in accordance with the Commanding Officer Endorsement Template located in CMPG 5.11.

e. Paragraph (d) is revised to remove subparagraphs (1) through (6) on Contracting Officer responsibilities for ratification of unauthorized commitments, and instead requires the Contracting Officer fulfill the responsibilities outlined in the CMPG Contracting Officer's Checklist for Ratification of Unauthorized Commitments located in CMPG 5.11.

f. Paragraph (e) is revised to remove ratification approval authority from the CKO.

g. Paragraph (f) is revised to change "completed" to "approved."

8. **1.603-3 Appointment** is revised to remove section (d) on collecting and reporting data on the acquisition workforce.

9. **2.101 Definitions** is revised to reflect the following changes:

a. **Chief of the Contracting Office (CCO)** is revised to note that Chief of the Contracting Office is abbreviated as COCO in the Joint Contingency Contracting Handbook.

b. **Contingency Contracting Officer (CKO)** is revised to change "provisioning" to "acquisition," and note that Contingency Contracting Officer is abbreviated as CCO in the Joint Contingency Contracting Handbook.

10. **2.101-100 Acronyms** is revised as follows to reflect that the list of acronyms is included in Appendix D of MAPS.

2.101-100 Acronyms.

A list of acronyms used in the MAPS is included in Appendix D.

11. **6.304 Approval of the justification**, paragraph (b) is revised as follows to remove the statement that the approval of the justification may be delegated to a level no lower than the CCO:

6.304 Approval of the justification.

Justifications shall be approved as outlined below prior to the issuance of the solicitation unless [FAR 6.302-2](#) applies. When [FAR 6.302-2](#) applies, the justification shall be submitted to the approval authority as outlined in [MAPS 6.302-2](#) above.

(a) For a proposed contract action greater than \$100,000 but not exceeding \$550,000, the Contracting Officer shall certify the justification is accurate and complete. In accordance with [FAR 6.304\(a\)\(1\)](#), the Contracting Officer's certification serves as approval of the justification.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

(b) For a proposed contract action greater than \$550,000 but not exceeding \$11,500,000, the justification shall be approved by the Command Competition Advocate.

(c) All justifications greater than \$11,500,000 but not exceeding \$78,500,000 shall be submitted through the CCO to the ADC, I&L (Contracts) for approval.

(d) All justifications greater than \$78,500,000 shall be submitted through the CCO, Command Competition Advocate, and the ADC, I&L (Contracts) for approval by ASN (RD&A).

12. **6.304-100 Compliance with approved justification** is revised as follows to change “requirement” to “method of executing the acquisition”:

6.304-100 Compliance with approved justification.

Procurement actions that are being performed on the basis of a justification for other than full and open competition must be executed in compliance with the approved justification. If a requirement changes such that an approved justification no longer accurately reflects the method of executing the acquisition, the Contracting Officer shall submit a formal notice of the proposed change to the approval authority for concurrence prior to making the change.

13. **6.501 (NMCARS) Requirement**, paragraph (b) is revised as follows to clarify the authority and delegation of the Competition Advocate:

6.501 (NMCARS) Requirement.

(a) The ADC, I&L (Contracts) has been designated the Competition Advocate of the Marine Corps.

(b) As required by [NMCARS 5206.501](#), the HCA (HQMC, DC, I&L) shall appoint a Competition Advocate for each RCO and for MCLC. Competition Advocate authority may be delegated to a level no lower than the CCO. Each Competition Advocate appointment shall be in writing and shall be designated to an individual as Competition Advocate who:

(1) Has extensive knowledge of the types of acquisitions within the command;

(2) Is at a position level commensurate in grade or rank with the senior level program, product, or requirements personnel with whom the advocate interacts;

(3) Has direct access to the Commander on matters relating to competition and the acquisition of commercial items and services; and

(4) Is not assigned any duties or responsibilities that are inconsistent with Competition Advocate duties and responsibilities identified in [FAR 6.502](#) and [NMCARS 5206.502](#).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

14. **7.470 (DFARS) Statutory requirements** is revised as follows to change the approval authority for statutory requirements, and remove the statement that the authority may not be re-delegated:

7.470 (DFARS) Statutory requirements.

The HCA approval is required to enter into, extend, or renew any vessel, aircraft, or vehicle through a lease, charter, or similar agreement for a term of 18 months or more.

15. **11.274 Item identification and valuation requirements** is added as follows to incorporate submission requirements for reports regarding the use of Item Identification and Valuation:

11.274 Item identification and valuation requirements.

Submit reports regarding the use of [DFARS 252.211-7003](#), Item Identification and Valuation, in awarded contracts as requested by HQMC, I&L (Contracts), Policy & Systems Branch.

16. **SUBPART 12.4—UNIQUE REQUIREMENTS REGARDING TERMS AND CONDITIONS FOR COMMERCIAL ITEMS** is added as follows to incorporate a requirement for notifications of terminations, and a requirement for reporting of contracts terminated for cause:

SUBPART 12.4—UNIQUE REQUIREMENTS REGARDING TERMS AND CONDITIONS FOR COMMERCIAL ITEMS

12.403 (NMCARS) Termination for Cause Reporting.

(a) Upon termination for cause on any commercial item contract, submit a notification to HQMC, I&L (Contracts), Policy & Systems Branch that contains the information outlined in NMCARS Annex 5 immediately following the termination modification.

(b) A log shall be kept of all commercial item contracts terminated for cause. These termination actions shall be reported annually as outlined in [Appendix B](#). Each report shall be submitted in the format outlined in [Appendix H](#). Negative replies are required.

17. **13.003 (NMCARS) Policy**, paragraph (b) is revised as follows to separate the training information into a new section, paragraph (c):

13.003 (NMCARS) Policy.

Per [NMCARS 5213.003](#), and unless otherwise specified, the Marine Corps shall follow DON-wide policies for simplified acquisition issued by the NAVSUP as follows:

(a) Simplified acquisition policies and procedures are found in [NAVSUPINST 4200.85D](#). Interim changes to that instruction and other simplified acquisition policies, procedures, and guidance are posted in the [Naval Logistics Library, NAVSUP Contract Management Library](#).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

(b) Specific policies and procedures for the operation and management of the GCPC Program are found in [DON Policies and Procedures for the Operation and Management of the GCPC Program NAVSUPINST 4200.99](#). In addition, Marine Corps unique procedures shall be adhered to as outlined in the CMPG GCPC Module.

(c) Training modules for the DON GCPC Program are available via the Internet at the [DON Purchase Card Training website](#).

18. **13.301-100 (FAR) Government-wide commercial purchase card**, paragraph (c) is revised as follows to clarify that the reports will be submitted to the Field Support Branch of HQMC, I&L (Contracts):

13.301-100 (FAR) Government-wide commercial purchase card.

(a) [NAVSUPINST 4200.99](#) establishes procedures under which the GCPC may be used as a method of payment for transactions over the micro-purchase threshold. Within the Marine Corps utilizing the GCPC as a method of payment above the micro-purchase threshold is not preferred and should only be done when no other means of contract payment is feasible and/or practicable.

(b) The following approvals are required when using the GCPC as a method of payment above the micro-purchase threshold:

(1) For contracts with a total estimated value of \$25,000 or less, the GCPC may only be used as a method of payment with the approval of the CCO or an authorized designee.

(2) For contracts with a total estimated value greater than \$25,000, the GCPC may only be used as a method of payment with the approval of the ADC, I&L (Contracts), or an authorized designee.

(c) CCOs will submit monthly reports documenting the use of this authority to HQMC, I&L (Contracts), Field Support Branch.

19. **15.303 Responsibilities** is revised to reflect the following changes:

a. Paragraph (c) is revised to remove the reference to Appendix F for roles and responsibilities of the source selection organization.

b. Paragraph (e) is revised to change threshold for Source Selection Plans from \$10,000,000, to the levels identified in MAPS 1.690.

c. Paragraph (e)(2) is revised to add the names of the chair and members of the Past Performance Evaluation Team to the Source Selection Plan.

d. A new paragraph is added to incorporate the Section L, Instructions to Offerors, into the Source Selection Plan. This new paragraph is now paragraph (e)(3).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

e. Paragraphs (e)(3), (e)(4), and (e)(5), are renumbered to (e)(4), (e)(5), and (e)(6), respectively.

20. **15.403-1 (NMCARS) Annual Truth in Negotiations Waivers, Cost Accounting Standards Waivers, and Commercial Item Exception Reports** is added as follows to incorporate new reporting requirements for TINA, CAS, and commercial item actions:

15.403-1 (NMCARS) Annual Truth in Negotiations Waivers, Cost Accounting Standards Waivers, and Commercial Item Exception Reports

An annual report consisting of all Truth in Negotiation (TINA) waivers, Cost Accounting Standard (CAS) waivers, and commercial item exception reports shall be submitted to HQMC, I&L (Contracts), Policy & Systems Branch. Negative replies are required.

21. **15.403-100 Report on In Process Waivers for TINA** is added as follows to incorporate reporting requirements for in process waivers for TINA:

15.403-100 Report on In Process Waivers for TINA

Upon request by HQMC, I&L (Contracts), CCOs shall provide requesting information regarding in process waivers for TINA. Negative replies are required.

22. **15.404-70 DD Form 1547, Record of Weighted Guidelines Method Application** is added as follows to address the use of the Weighted Guidelines Application for development of the DD Form 1547:

15.404-70 DD Form 1547, Record of Weighted Guidelines Method Application

MCFCs offices shall use the web-based [Weighted Guidelines \(WGL\) Profit Weighted Guidelines Application](#) which automates development of the DD Form 1547 while standardizing profit analysis and the reporting of profit statistics whenever a structured approach to profit analysis is required by [DFARS 215.404-4](#).

23. **SUBPART 16.4—INCENTIVE CONTRACTS** is added as follows to incorporate new reporting requirements for award fee and incentive fee contracts:

SUBPART 16.4—INCENTIVE CONTRACTS

16.470-100 Report on use of award fee and incentive fee contracts.

Submit reports regarding the use of award fee and incentive fee contracts as requested by HQMC, I&L (Contracts), Policy & Systems Branch.

24. **17.503 Determinations and findings requirements**, paragraph (f) is revised to create 2 subparagraphs (f)(1) and (f)(2), add a reference to Appendix B for the due date of the report, and correct the grammar as follows:

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

17.503 Determinations and findings requirements.

The following policy applies to all activities that use Non-Marine Corps contracts or resources to satisfy their requirements. [CMPG, Section 1.5.1](#) includes a D&F template for assisted acquisitions and BCM documentation requirements for direct acquisitions that outlines information required to comply with the law, Office of the Secretary of Defense (Comptroller) and the ASN (FM&C) policy.

(a) Economy Act Orders.

(1) Assisted acquisitions made through DoD agencies greater than the micro-purchase threshold and less than or equal to \$5M. To comply with the Economy Act, 31 United States Code 1535, the contracting officer, with the assistance of the requiring individual, comptroller, and legal counsel, will prepare and approve the D&F before any funds are transferred outside the Marine Corps.

(2) Assisted acquisitions made through DoD agencies greater than \$5M. To comply with the Economy Act, 31 United States Code 1535, the contracting officer, with the assistance of the requiring individual, comptroller, and legal counsel, will prepare the D&F and forward it to ADC, I&L (Contracts) for approval before any funds are transferred outside the Marine Corps.

(3) Assisted acquisitions (other than through franchise funds) made through Non-DoD agencies greater than the micro-purchase threshold. To comply with the Economy Act, 31 United States Code 1535, the Contracting Officer, with the assistance of the requiring individual, comptroller, and legal counsel, will prepare the D&F and forward it to ADC, I&L (Contracts) for approval before any funds are transferred outside the Marine Corps.

(b) Non-Economy Act Orders.

(1) Assisted acquisitions made through Non-DoD agencies less than the SAT (currently \$100K). The approval process and documentation requirements are as prescribed by local comptroller in accordance with sound financial management practices.

(2) Assisted acquisitions made through Non-DoD agencies greater than the SAT and less than or equal to \$5M. To comply with Section 854 of the FY2005 NDAA and Section 813 of the FY2006 NDAA the contracting officer, with the assistance of the requiring individual, comptroller, and legal counsel will prepare and approve the D&F before any funds are transferred outside the Marine Corps.

(3) Assisted acquisitions made through Non-DoD agencies greater than \$5M. To comply with Section 854 of the FY2005 NDAA and Section 813 of the FY2006 NDAA the contracting officer, with the assistance of the requiring individual, comptroller, and legal counsel will prepare the D&F and forward it to ADC, I&L (Contracts) for approval before any funds are transferred outside the Marine Corps.

(c) The requiring individual who generates requirements for execution is responsible for providing the needed information to the comptroller, contracting office, and legal counsel so that

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

the requisite documentation can be acted upon. As a minimum, the requiring individual must provide the needed information in a format consistent with the D&F template included in [CMPG, Section 1.5.1](#). In addition, the requiring individual must establish procedures and controls that ensure all required MIPR documents and source documentation, including support for the receipt of ordered goods and services and the validity of related disbursements, are properly maintained in a single file location. The existence of an interservice/intergovernmental support agreement, memorandum of agreement or memorandum of understanding under DoD Instruction 4000.19 does not negate the requirement for a D&F.

(d) The cognizant comptrollers will not release funds for interagency procurements until the required documentation has been completed. The comptroller will also take necessary actions to ensure appropriate tracking of funding transferred outside the Marine Corps to ensure a proper audit trail.

(e) Examples where these procedures do not apply:

(1) Supplies and services procured under mandatory supply sources as defined in [FAR Part 8](#) (e.g., purchases on the Procurement List maintained by the Committee for Purchase From People Who Are Blind or Severely Disabled—AbilityOne) or mandatory sources provided for under other specific authority.

(2) Transfers by a tenant activity to a host activity for the reimbursement of utilities (e.g., water, sewer, telephone).

(3) Mobile (cellular) phone services and mobile data services (i.e., BlackBerry® and like devices) pursuant to [ASN\(RD&A\) Memorandum, Subj: Department of the Navy Acquisition Policy on Mobile \(Cellular\) Phone and Data Equipment and Services, dated 7 March 2005](#).

(4) Architect-engineer, construction and facilities support contracts performed by NAVFAC pursuant to [NMCARS 5201.601-90\(a\)\(1\)](#) (to include the Naval Construction Force/Seabees).

(5) Construction procured from the Army in Japan and Okinawa pursuant to [DoDD 4270.5](#).

(f) Reporting Requirement.

(1) To facilitate the preparation of the below required annual report, and for ease of audit, Chiefs of the Contracting Offices (CCO) shall maintain in a single location within the office a file of all Economy Act and Non-Economy Act D&Fs the office has approved.

(2) The CCOs will report all assisted Economy Act Orders and Non-Economy Act Orders that all contracting officers under their supervision have approved during the previous fiscal year as required by ASN(RD&A) Memorandum, Subj: Acquisition of Services, dated 01 December 2006. This report will be sent to HQMC, I&L (Contracts), Policy and Systems Branch, in accordance with the due date identified in [Appendix B](#). Reports shall be provided in the format outlined in [CMPG, Section 1.5.1](#). Negative replies are required.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

25. **19.201 General policy**, paragraph (d), is revised as follows to remove the word “Associate” from the title HQMC, Director of Small Business.

19.201 General policy.

(a) A full-time or part-time Deputy for Small Business shall be appointed at all Marine Corps contracting offices with contracting authority of \$25,000 or more per [SECNAVINST 4380.8B](#). The individual must meet the qualification requirements provided by [SECNAVINST 4380.8B](#) and be approved by the HQMC, Director of Small Business.

(b) Based on small and disadvantaged program targets assigned to the Marine Corps by the Secretary of the Navy’s Director, Office of Small Business Programs (OSBP), the HQMC, Director of Small Business shall establish specific target assignments for MCFCS offices.

(c) All FAR and DFARS requirements requiring HCA or OSN OSBP review or decision that may impact small and disadvantaged business programs shall be coordinated with the HQMC, Director of Small Business.

(d) All DD 2579s shall be reviewed and signed only by the Contracting Officer (block 17 of the DD 2579) and the MCFCS Small Business Specialist (block 18 of the DD 2579), unless when required by [FAR 19.202-1](#)(e)(1) or [DFARS 219.201](#)(d)(10)(C), it is necessary for a Small Business Representative to also review the proposed acquisition. For any MCFCS offices that do not currently have a local Small Business Specialist, block 18 of the DD 2579 shall be signed by the HQMC, Director of Small Business (DSB) or his designee.

26. **22.103 Overtime** and corresponding subpart **22.103-4 Approvals** are removed from MAPS since NMCARS already states the designation of the CCO as the agency approval official.

27. **SUBPART 25.73--ACQUISITIONS FOR FOREIGN MILITARY SALES** is added as follows to incorporate reporting requirements regarding foreign sales of significant military equipment manufactured in the United States:

SUBPART 25.73--ACQUISITIONS FOR FOREIGN MILITARY SALES

25.7300-100 Report to Congress on foreign sales of significant military equipment manufactured in the United States.

Submit reports regarding foreign sales of significant military equipment manufactured in the United States as requested by HQMC, I&L (Contracts), Policy & Systems Branch.

28. **33.103 (NMCARS) Protests to the agency**, paragraph (f) is revised as follows to add a requirement for negative replies, and include references to Appendices B and F for the due dates and format of the agency protest report:

33.103 (NMCARS) Protests to the agency.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

(a) All agency-level protests received by Marine Corps contracting offices shall be subject to review and resolution by the Contracting Officer.

(b) When an interested party requests an independent review of its protest at a level above the Contracting Officer, the Contracting Officer must submit the protest and the applicable documents described in [FAR 33.104\(3\)\(ii\)-\(iv\)](#) to the CCO for resolution.

(c) Protests received at field contracting offices that are not designated as regional offices shall be reviewed and resolved by the CCO overseeing that office.

(d) Where a CCO is the Contracting Officer and the protester seeks review one level above the Contracting Officer, the matter will be forwarded to HQMC, I&L (Contracts) for resolution.

(e) Proposed contract protest decisions by Contracting Officers must be reviewed by CL field Counsel prior to issuance.

(f) Reporting requirements. CCOs shall maintain a log of all agency protests and their resolution. An annual report shall be submitted to HQMC, I&L (Contracts), Policy & Systems Branch, in accordance with the due dates identified in [Appendix B](#). The format of the report shall be as outlined in [Appendix F](#). Negative replies are required.

29. **33.104 (FAR/NMCARS) Protests to the Government Accountability Office (GAO)**, paragraph (d) is revised as follows to add a requirement for negative replies, and include references to Appendices B and G for the due dates and format of the GAO protest report:

33.104 (FAR/NMCARS) Protests to the Government Accountability Office (GAO).

(a) CL serves as the contact point for GAO protests.

(b) CL field Counsel provides legal support to the contracting office that receives a protest. CL field Counsel, with input from the Contracting Officer, will prepare the agency administrative report in response to the protest. The proposed reports to GAO and all accompanying documents must be submitted by the Contracting Officer to CL via the appropriate CL field Counsel at least five calendar days before the report is due at GAO.

(c) Award of costs.

(1) In accordance with [FAR 33.104\(h\)\(6\)](#), Contracting Officers shall consult with CL field Counsel before paying a recommended award of costs under [FAR 33.104\(h\)\(6\)](#).

(2) ADC, I&L (Contracts) or designee shall consult with CL and DASN (A&LM) before any decision is made not to implement a GAO recommendation.

(d) Reporting requirements. CCOs shall maintain a log of all GAO protests and their resolution. An annual report shall be submitted to HQMC, I&L (Contracts), Policy & Systems Branch, in accordance with the due dates identified in [Appendix B](#). The format of the report shall be as outlined in [Appendix G](#). Negative replies are required.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

30. **37.503-100 Procedures**, the table on Approval of Services Acquisitions That Are NOT Performance Based is revised as follows to add ** to the ADC, I&L(Contracts) or Designee for the dollar value >\$5M to \$78.5M. In addition the note after the table is revised to incorporate the ADC, I&L (Contracts) Deputy as a designee:

Approval of Services Acquisitions That Are NOT Performance Based			
Total Planned Dollar Value, Including Options, Etc.	Requirements Review (Suggested Level at Requiring Activity)	AS Review	Decision Authority
>SAT to \$1M	Requirements Originator	Contract Specialist and Contracting Officer	CCO. May redelegate NLT one level above Contracting Officer
\$1M to \$5M	Level above Requirements Originator	CCO	ADC, I&L(Contracts) or Designee*
>\$5M to \$78.5M	O-6/GS-15	CCO	ADC, I&L(Contracts) or Designee**
>\$78.5M to \$500M	O-6/GS-15	ADC, I&L(Contracts)	DASN(A&LM)
>\$500M or Special Interest Item	Flag/General Officer/SES/Commanding Officer	ASN(A&LM)	ASN(RD&A)
AT&L Special Interest Item on Case-by-Case Basis	Flag/General Officer/SES/Commanding Officer	ASN(RD&A)	USD(AT&L)

* ADC, I&L(Contracts) Deputy or Assistant Director up to \$5.5M

**Or as designated in writing up to \$10M to Requiring Activity Flag/General Officer/SES who is a member of the Acquisition Professional Community or Commanding Officer

31. **42.191 (NMCARS) Audit resolution and disposition** is revised to reflect the following changes:

a. Paragraphs (a) and (b) are revised to change “and” to “&” when referring to the HQMC I&L (Contracts), Policy and Systems Branch.

b. Paragraph (b) is revised to include a requirement for negative reports.

32. **43.102-100 Execution of contract modifications** is revised as follows to remove paragraph (b) on the requirement for a release statement for supplemental agreements, renumber paragraph (c) to (b), and incorporate a requirement for the approval for proposed modifications that will result in an increase to the total price of a contract greater than 50% of the initial contract amount:

43.102-100 Execution of contract modifications.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

(a) Bilateral modifications shall not be signed by the Government until after signature by the contractor. If the contractor places conditions on the modification, a written reply shall immediately be sent to the contractor stating that the Government will not execute the modification as returned and will treat it as null and void.

(b) Any proposed modification that will result in an increase to the total contract price of greater than 50% of the initial contract award amount shall be approved by no lower than a Level III Contracting Officer to ensure the proposed modification will be within the scope of the original contract.

33. **43.204 Administration** is added as follows to incorporate a release statement requirement for supplemental agreements resulting from change orders:

43.204 Administration

To avoid subsequent controversies that may result from a supplemental agreement containing an equitable adjustment as the result of a change order, the contracting officer shall include a release statement similar to that found at [FAR 43.204\(c\)\(2\)](#), unless waived by the CCO.

34. **49.101-100 Reporting requirements** is revised as follows to incorporate a reporting requirement for terminations for default:

49.101-100 Reporting requirements.

A log shall be kept of all contracts terminated. These termination actions shall be reported annually as outlined in [Appendix B](#) to HQMC, I&L (Contracts), Policy & Systems Branch. Each report shall be submitted in the format outlined in [Appendix H](#). Negative replies are required. For termination for default, additional notification requirements are outlined in MAPS 49.403.

35. **SUBPART 49.4—TERMINATION FOR DEFAULT** is added as follows to incorporate a reporting requirement for terminations for default:

SUBPART 49.4—TERMINATION FOR DEFAULT

49.470 (NMCARS) Termination for Default Notification

Upon termination for default of any contract, submit a notification to HQMC, I&L (Contracts), Policy & Systems Branch that contains the information outlined in NMCARS Annex 5 immediately following the termination modification.

36. **Appendix B – Required Reports** is revised as follows to incorporate the new reports being added to MAPS, update the references that require the reports, and update the references to the format and due date of the reports:

REPORT TITLE	REQUIRED BY	REPORT FORMAT	DUE DATE
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MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

REPORT TITLE	REQUIRED BY	REPORT FORMAT	DUE DATE
Ratification Report	NMCARS 5201.602-3 (S-90)(h); MAPS 1.602-3 (f)	Appendix C	10 Jan, 10 Apr, 10 Jul, 10 Oct of each year
Report to Congress on Foreign Sales of Significant Military Equipment Manufactured in the United States	MAPS 25.7300-100	Provided with request	1 February of each year
Report on Use of Award Fee & Incentive Fee Contracts	MAPS 16.470-100	Provided with request	1 March & 1 September of each year
DCAA Contract Audit Follow Up (CAFU) Status Report	NMCARS 5242.191(b); MAPS 42.191(b)	DoD Directive 7640.2	30 March & 30 September of each year
Report on Use of IUID Clause	MAPS 11.274	Provided with request	1 June & 1 Dec of each year
Agency Protest Report	MAPS 33.103 (f)	Appendix F	30 October of each year
GAO Protest Report	MAPS 33.104 (d)	Appendix G	30 October of each year
Report of Termination Actions (T4Cause, T4C, & T4D)	MAPS 12.403(b); MAPS 49.101-100	Appendix H	30 October of each year
Annual Truth in Negotiations Waivers, Cost Accounting Standards Waivers, and Commercial Item Exception Reports	MAPS 15.403-1	PGI 215.403-1(c)(3)(B); PGI 215.403-1(c)(4)(B); NMCARS 5215.403-1	31 October of each year
Report of Economy Act Orders	MAPS 17.503 (f)	CMPG 1.5.1	15 November of each year
DCAA Contract Audit Resolution & Disposition Report	NMCARS 5242.191(a); MAPS 42.191(a)	DoD Directive 7640.2	Upon audit resolution (no later than six months after date of audit report)
Report on In Process Waivers for TINA	MAPS 15.403-100	Provided with request	Upon request
Notification of Termination for Cause	NMCARS 5212.403; MAPS 12.403	NMCARS Annex 5	Immediately upon execution of termination modification
Notification of Termination for Default	NMCARS 5249.470; MAPS 49.470	NMCARS Annex 5	Immediately upon execution of termination modification

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Summary of Significant Changes for Change 1

37. **Appendix C – Ratification Report** is revised to clarify the information required for ratification reports. In addition, the term “completed ratifications” is changed to “approved D&Fs.”

37. **Appendix D – Acquisition Workforce Report Template** is removed and is now **Appendix D – Acronyms**.

38. **Appendix E – Acronyms** is now **Appendix E – Source Selection Organization**. **Appendix E – Source Selection Organization** is revised to remove all source selection organization information and is now marked as Reserved.

39. **Appendix F – Source Selection Organization** is now **Appendix F – Agency Protest Report**.

40. **Appendix G – Agency Protest Report** is now **Appendix G – GAO Protest Report**.

41. **Appendix H – GAO Protest Report** is now **Appendix H – Termination Report**.

42. **Appendix I – Termination Report** is removed since Termination Report is now Appendix H.